DEPARTMENT OF THE INTERIOR,

CENSUS OFFICE.

FRANCIS A. WALKER, Superintendent,
Appointed April 1, 1879; resigned November 3, 1881.

CHAS. W. SEATON, Superintendent,
Appointed November 4, 1881. Office of Superintendent abolished March 3, 1885.

THE UNITED STATES MINING LAWS

AND

REGULATIONS THEREUNDER,

AND

STATE AND TERRITORIAL MINING LAWS,

TO WHICH ARE APPENDED

LOCAL MINING RULES AND REGULATIONS.

COMPILED UNDER THE DIRECTION OF

HON. CLARENCE KING,

SPECIAL AGENT TENTH CENSUS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1885.

LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, December 17, 1885.

Hon. L. Q. C. LAMAR,
Secretary of the Interior.

SIR: I have the honor to transmit herewith the fourteenth volume of the series forming the final report on the Tenth Census, it being a collection of United States, state and territorial, and local mining laws, with mining rules and regulations, compiled under the direction of Hon. Clarence King, special agent of Tenth Census, formerly Director United States Geological Survey.

Very respectfully,

JAMES H. WARDLE,
Chief of Census Division.

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LETTER OF TRANSMITTAL.

No. 18 Wall street, New York, N. Y.,
December 17, 1884.

Hon. C. W. Seaton,
Superintendent Tenth Census, Washington, D. C.

Sir: I have the honor herewith to transmit the census volume devoted to Mining Laws, Rules, and Regulations. It consists of, first, a collection of the federal laws under which citizens may obtain title to public mineral land, together with the departmental rules and regulations now in force; second, the various state and territorial laws pertaining to the initiation and perfecting of mineral claims; and, third, the local district rules and regulations enacted by the various miners' organizations.

These local enactments cover the whole period of western precious-metal mining, and follow closely the entire geographical distribution of gold and silver within the United States. They are of extreme value as covering the inception of a very large number of titles to important properties.

It is not claimed that this collection covers by any means all the mining districts which have been organized. Many were of the most temporary character, organized one day and abandoned the next; and even among the more prominent districts which have yielded a large quota of the country's wealth of precious metals, records have been either accidentally or purposely destroyed. But the attempt has been made, and fairly well carried out, to assemble here all the important district laws which can now be obtained and authenticated.

Very respectfully, yours,

CLARENCE KING,
Special Agent Tenth Census.

UNITED STATES MINING LAWS,

AND

REGULATIONS THEREUNDER.

UNITED STATES MINING LAWS, AND REGULATIONS THEREUNDER.

REVIEW OF FEDERAL LEGISLATION ON MINES.

"The motive underlying the earliest congressional legislation touching the public mineral lands was to secure a revenue therefrom. To this end the system of leasing the lead and copper mines was adopted in 1807, with its attendant agencies, accountings, etc. After a trial of nearly forty years, the system was pronounced a failure, and in 1846 the mines were offered for sale, with a preference right in those who had leases or were in the occupation of the mines. When the gold mines of California were discovered, and the varied mineral wealth of the Pacific coast was brought to the attention of Congress, several revenue bills were introduced at different times and earnestly debated; but the notorious failure of the lease system in the Mississippi valley, and the difficulties in the way of securing a revenue otherwise, gave success to the friends of free mining in 1866.

"Except in a few states, the object of congressional legislation since 1866 has been to prevent the disposal of mineral lands to states and railroads, or in large quantities to individuals. Exploration of hidden mines is encouraged, and no efforts are used to compel miners to expend money in securing government title. The mining law of May 10, 1872, is essentially a poor man's law, and has been the source of incalculable wealth to the country, and indirectly of vast revenue to the government.

"I.—RESERVATIONS.

"Continental Congress.—The ordinance of the revolutionary Congress of May 20, 1785, reserved 'one-third part of all gold, silver, lead, and copper mines, to be sold or otherwise disposed of as Congress shall hereafter direct'. And in the grant or patent prescribed by the act the wording is, 'excepting and reserving one-third part of all gold, silver, lead, and copper mines within the same for future sale or disposition.' (Public Lands, &c., Part 1, 13, 14; Yale, 325.) This ordinance continued in force until the constitutional Congress in 1789.

"First Congress.—The plan for the disposition of the public lands, reported by Alexander Hamilton in July, 1791, is silent on the subject of mineral lands. (1 American State Papers, 4, 5.)

"Lead mines.—In many instances, from 1807, where land was authorized to be sold in particular sections of the country, lead mines were reserved from sale, and by the act of March 3, 1807, the leasing of lead-mines for a period not exceeding five years was authorized, and a grant of land containing a lead mine discovered before the sale was declared to be fraudulent and void. In United States *vs.* Gratiot (14 Pet., 526) the Supreme Court held that Congress has the power to lease as well as to sell the public lands. By the act of March 3, 1849, the powers of the Secretary of the Treasury over lead and other mines were transferred to the head of the Home (Interior) Department, created by that act.

"Pre-emption laws.—The tenth section of the general pre-emption law of 1841 excluded from its operation all 'lands on which are situated any *known* salines or mines'. In nearly all the pre-emption acts prior thereto minerals were reserved. In the several pre-emption acts relating to California special care seems to have been taken to prevent the appropriation of mineral lands by settlers. The act of July 23, 1866, to quiet land titles in California, further protected mineral lands in that state. The Oregon donation act also excluded mineral lands from its operation.

"Railroad grants.—In the earlier grants to aid railroads mineral lands are not mentioned in terms; a general clause is inserted excepting all lands reserved for any purpose or by any act of Congress. In the renewal of the railroad grants in Alabama, by act of April 10, 1869 (16 Stats., 45), mineral lands are excluded. In the grant in aid of the Iron Mountain and Saint Louis railroad (July 4, 1866, 14 Stats., 83), mineral lands not coal and iron are excepted. In this latter form the mineral lands have, since 1864, been excluded from railroad grants in the mining states and territories.

"The acts of July 1, 1862, and July 2, 1864, which donated nearly 100,000,000 acres to railroad corporations, gave the coal and iron lands within their limits, but excepted other mineral lands from the grants. In the act of July, 1862, the following is the excepting clause: '*Provided*, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company.'

"In the act of July 2, 1864, section 4 contains this language: * * * 'And the term "mineral land", wherever the same occurs in this act and the act to which this is an amendment, shall not be construed to include coal and iron land. And any lands granted by this act, or the act to which this is an amendment, shall not defeat or impair any pre-emption, homestead, swamp land, or other lawful claim, nor include any government reservation, or mineral lands, or the improvements of any *bona fide* settler, or (on) any lands returned and denominated as mineral lands, and the timber necessary to support his said improvements as a miner or agriculturist to be ascertained under such rules as have been or may be established by the Commissioner of the General Land-Office, in conformity with the provisions of the pre-emption laws: *Provided*, That the quantity thus exempted by the operation of this act and the act to which this act is an amendment, shall not exceed one hundred and sixty acres for each settler who claims as an agriculturist, and such quantity for each settler who claims as a miner as the said Commissioner may establish by general regulation: *Provided, also*, That the phrase "but where the same shall contain timber, the timber thereon is hereby granted to said company", in the proviso to said section three, shall not apply to the timber growing or being on any land further than ten miles from the center line of any one of said roads or branches mentioned in said act or in this act.'

"STATE GRANTS.—In the earlier congressional grants of land to states minerals were not mentioned in terms. A general exception was made of all reserved lands. In the river-improvement grants in Iowa and Wisconsin there was no reservation of mineral lands, but in the grants to aid the ship canals in Michigan (March 3, 1865; April 10, 1866; and July 3, 1866) mineral lands were excluded.

"The internal improvement, swamp, and educational grants do not mention mineral lands until after 1860, so far as observed. The agricultural college act of July 2, 1862, excluded 'mineral lands'.

"In the acts admitting states to the Union, mineral lands, as a rule, are not particularized. Only in those states notoriously rich in minerals, like California, are the mineral lands noticed prior to 1860.

"II.—TRESPASS.

"Digging for minerals on the public domain prior to the act of July 26, 1866, was a trespass, entitling the government to damages, and was such a waste as could be restrained by an injunction.

"THE ILLINOIS LEAD CASE.—Upon the construction of the fifth section of the act of March 3, 1807 (2 Stats., 448), and the act of June 26, 1834 (4 Stats., 686), the Supreme Court decided the case of Gear, holding the defendant guilty of trespass in mining for lead upon the public land in Illinois, and enjoining him from the commission of waste (3 How., 120).

"GEAR'S CASE.—The case of Gear was affirmed in Cotton *vs.* The United States (11 How., 229), where the principle was extended or applied to an action of trespass for cutting timber upon the public land. As the owner of the land it was the government's right to protect its property in the same manner as an individual would. On these questions the inquirer may consult United States *vs.* Schuler (6 McLean, 28).

"THE NEW ALMADEN QUICKSILVER CASE.—An implied license from the government to mine upon the public land, by reason of its indulgence, if not direct encouragement, was denied in the case of the United States *vs.* Parrott, involving title to the New Almaden mine in California. (See United States *vs.* Castillero, 2 Black's Supreme Court Reports for 1862, wherein this mine was also involved.)

"In Sparrow *vs.* Strong (3 Wallace, 104) the United States Supreme Court recognized the local mining rules.

"III.—FREEDOM AND SALE.

"The act of July 11, 1846 (9 Stats., 36), authorized the sale of the reserved mineral lands in the states of Illinois and Arkansas and the territories of Wisconsin and Iowa, but still excepted the lead-mines from pre-emption. The reserved mineral lands in Missouri had shortly before been offered at sale. This act acknowledged the failure of the lease system. In the following year (1847) the mineral lands in Michigan were offered at sale. The act of September 26, 1850, apparently ended the distinction between mineral and agricultural lands in Michigan and Wisconsin. It enacted that the mineral lands therein 'shall be offered at public sale in the same manner and be subject to the same minimum price and the same rights of pre-emption as other public lands of the United States'.

"The act of July 26, 1866, threw open the mineral lands of the United States to exploration and occupation, and it was thereafter no longer a trespass to dig ore or engage in mining operations on the public domain. The acts amendatory of this liberal law, including the Sutro tunnel grant, will be found elsewhere in this volume."

The foregoing is taken from *Copp's United States Mineral Lands* as a fair statement of the status of the mineral lands of the United States prior to the act of July 26, 1866, which opened said lands to exploration, occupation, and purchase to all qualified persons.

Referring to existing legislation for the sale and disposition of the public lands, and excepting from such disposition all mineral lands, it is sufficient to state, without specifying each of said laws, that section 2318, Revised Statutes of the United States, provides that "In all cases lands valuable for minerals shall be reserved from sale except as otherwise expressly directed by law".

In the states of Missouri, Kansas, Minnesota, Michigan, and Wisconsin there is an express direction by law that all lands shall be sold as agricultural lands, but such direction exists nowhere else.

AN ACT for the disposal of coal-lands and of town property in the public domain. (Approved July 1, 1864. U. S. Stat., v. 13, p. 343.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where any tracts embracing coal-beds or coal-fields, constituting portions of the public domain, and which, as "mines", are excluded from the pre-emption act of eighteen hundred and forty-one, and which, under past legislation, are not liable to ordinary private entry, it shall and may be lawful for the President to cause such tracts, in suitable legal subdivisions, to be offered at public sale to the highest bidder, after public notice of not less than three months, at a minimum price of twenty dollars per acre; and any lands not thus disposed of shall thereafter be liable to private entry at said minimum.

SEC. 2. *And be it further enacted*, That in any case in which parties have already founded, or may hereafter desire to found, a city or town on the public lands, it shall and may be lawful for them to cause to be filed with the recorder for the county in which the same is situated, a plat thereof for not exceeding six hundred and forty acres, describing its exterior boundaries according to the lines of the public surveys, where such surveys have been executed; also giving the name of such city or town, and exhibiting the streets, squares, blocks, lots, and alleys, the size of the same, with measurements and area of each municipal subdivision, the lots in which shall each not exceed four thousand two hundred square feet, with a statement of the extent and general character of the improvements; the said map and statement to be verified under oath by the party acting for and in behalf of the persons proposing to establish such city or town; and within one month after such filing there shall be transmitted to the General Land-Office a verified transcript of such map and statement, accompanied by the testimony of two witnesses that such city or town has been established in good faith; and when the premises are within the limits of an organized land district, a similar map and statement shall be filed with the register and receiver; and, at any time after the filing of such map, statement, and testimony in the General Land-Office, it shall and may be lawful for the President to cause the lots embraced within the limits of such city or town to be offered at public sale to the highest bidder, subject to a minimum of ten dollars for each lot; and such lots as may not be disposed of at public sale shall thereafter be liable to private entry at said minimum, or at such reasonable increase or diminution thereafter as the Secretary of the Interior may order from time to time, after at least three months' notice, in view of the increase or decrease in the value of the municipal property: *Provided*, That any actual settler upon any one lot as aforesaid, and upon any additional lot in which he may have substantial improvements, shall be entitled to prove up and purchase the same as a pre-emption, at said minimum, at any time before the day fixed for the public sale.

SEC. 3. *And be it further enacted*, That when such cities or towns are established upon unsurveyed lands, it shall and may be lawful, after the extension thereto of the public surveys, to adjust the extension limits of the premises according to those lines, where it can be done without interference with rights which may be vested by sale; and patents for all lots so disposed of at public or private sale shall issue as in ordinary cases.

SEC. 4. *And be it further enacted*, That if, within twelve months from the establishment of a city or town, as aforesaid, in the public domain, the parties interested shall refuse or fail to file in the General Land-Office transcript map, with the statement and testimony called for by the provisions of the second section of this act, it shall and may be lawful for the Secretary of the Interior to cause a survey and plat to be made of such city or town, and thereafter the lots in the same shall be disposed of as required by said provisions, with this exception, that they shall each be at an increase of fifty per centum on the aforesaid minimum of ten dollars per lot.

SEC. 5. *And be it further enacted*, That effect shall be given to the foregoing act, according to such regulations as may be prescribed by the Secretary of the Interior. The act entitled "An act for the relief of the citizens of towns upon the lands of the United States, under certain circumstances," approved May twenty-three, anno Domini eighteen hundred and forty-four, and all other acts and part of acts inconsistent with this act, be and the same are hereby repealed.

[Circular.]

Instructions to give effect to the act of Congress, approved July 1, 1864, *for the disposal of "coal-lands" and of "town property" in the public domain.*

INTERIOR DEPARTMENT, GENERAL LAND-OFFICE,
August 20, 1864.

GENTLEMEN: Annexed is the act of Congress, approved July 1, 1864, for the disposal of "coal-land" and of "town property on the public domain".

It will be observed that the word "mines", as used in the pre-emption act of 1841, is recognized in the first section

of this law as importing any tracts of the public domain embracing "coal-beds or coal-fields", which are to be treated as *mineral lands*, and not subject to ordinary private entry.

2d. That said tracts are to be disposed of at public sale, on not less than three months' public notice, to the highest bidder, in such "suitable legal subdivisions" as the President may direct, at the minimum price of $20 per acre; all tracts not thus disposed of are thereafter to be liable to private entry at said minimum.

3d. In order that this office may have reliable information as to what lands embrace "coal-beds or coal-fields", it will be your duty to institute proper inquiries, directed to reliable sources, as to the mineral character of the lands in your district; to ascertain what tracts of land come within the meaning of the terms "coal-beds or coal-fields", and make a prompt report of all such lands to this office.

4th. In reference to this matter, special orders will be given to the United States surveyors-general to require their deputy surveyors, in executing the public surveys, carefully to designate in their field notes all localities of coal-beds or coal-fields in the *smallest legal subdivision;* and thereafter to have the same properly delineated on the official township plats returned to the general and district land-offices.

5th. The second section of this act relates to "town property", or the founding of cities or towns on the public domain, and limits the extent of the area of the city or town to 640 acres, to be laid off into lots, and which, after filing in the General Land-Office the transcript, statement, and testimony required by the act, are to be offered at public sale, to the highest bidder, at a minimum of $10 for each lot. Lots not thus disposed of are made thereafter liable to private entry at said minimum, or at such reasonable price as the Secretary of the Interior may order from time to time, as the municipal property may increase or decrease, after at least three months' notice.

A privilege, however, is granted to any *actual settler* upon any *one* lot of pre-empting that, and any additional lot on which he may have "substantial improvements", at said minimum, at any time before the day fixed for the public sale.

There are, however, certain preliminary conditions to be complied with, in order to the enjoyment of the privileges granted in this section.

Parties who have already founded, or may hereafter found, a city or town are required—

6th. To file with the recorder of the county in which the town or city is situate a plat thereof, not exceeding 640 acres, describing its exterior boundaries according to the lines of the public surveys, where such surveys have been executed.

7th. Also the plat or map of such city or town must exhibit the name of the city or town, the streets, squares, blocks, lots, and alleys; the size of the same, with measurements and area of each municipal subdivision, the lots in which shall each not exceed 4,200 square feet, with a statement of the extent and general character of improvements.

8th. Further, the said map and statement to be verified by oath by the party acting for and in the behalf of the founders of the city or town.

9th. Within one month after filing the map or plat with the recorder of the county, a verified copy of said map and statement is to be sent to the General Land-Office, accompanied by the testimony of two witnesses, that such city or town has been established in good faith.

10th. When the city or town is within the limits of an organized land district, a similar copy of the map and statement must be filed with the register and receiver.

11th. The third section provides for cities or towns founded on *unsurveyed* lands, and directs that it may be lawful to adjust the exterior limits of the premises with the lines of the public surveys, where it can be done without impairing the rights of others. Patents are to issue for all lots sold under the provisions of this act, as in ordinary cases.

12th. Section 4 authorizes the Secretary of the Interior, in case the parties interested shall fail or refuse, within twelve months of the founding of a city or town on the public domain, to file in the General Land-Office a copy of the map, with the statement and testimony called for by the second section, to cause a survey and plat to be made of the said city or town, and thereafter the lots to be sold as provided, at an increase of 50 per cent. on the minimum price of $10 per lot.

13th. The fifth section repeals the act for the relief of the citizens of towns on the public lands, approved 23d May, 1844, and all other acts or parts of acts inconsistent with this act.

You are requested to acknowledge the receipt of this circular.

Very respectfully,

JOS. S. WILSON,
Acting Commissioner.

REGISTERS AND RECEIVERS,
United States Land-Offices.

AN ACT supplemental to the act approved first July, eighteen hundred and sixty-four, "for the disposal of coal-lands and of town property in the public domain." (Approved March 3, 1865. U. S. Stats., v. 13, p. 529.)

SECTION 1. That in the case of any citizen of the United States who, at the passage of this act, may be in the business of *bona fide* actual coal mining on the public lands, except on lands reserved by the President of the

United States for public uses, for purposes of commerce, such citizen, upon making proof satisfactory to the register and receiver to that effect, shall have the right to enter, according to legal subdivisions, a quantity of land not exceeding one hundred and sixty acres, to embrace his improvements and mining premises at the minimum price of twenty dollars per acre, fixed in the coal and town property act of first July, eighteen hundred and sixty-four: *Provided*, That where the mining improvements and premises are on land surveyed at the passage of this act, a sworn declaratory statement descriptive of the tract and premises, showing also the extent and character of the improvements, shall be filed within six months from the date of this act; and proof and payment shall be made within one year from the date of such filing; but where such mining premises may be on lands hereafter to be surveyed, such declaratory statement shall be filed within three months from the return to the district land-office of the official township plat, and proof and payment shall be made within one year from the date of such filing.

SEC. 2. That in the case of any city or town which, at the passage of this act, may be existing on the public lands, in which the lots therein may be variant as to size from the limitation fixed in the said act of first July, eighteen hundred and sixty-four, and in which the lots and buildings as municipal improvements shall cover an area greater than six hundred and forty acres, such variance as to size of lots or excess in area shall prove no bar to such city or town claim, under said act of first July, eighteen hundred and sixty-four, effect to be given to this act according to such regulations as may be prescribed by the Secretary of the Interior: *Provided*, That the minimum price of each said lots in any such town or city, which may contain a greater number of square feet than the maximum named in the act to which this is an amendment, shall be increased to such reasonable amount as the Secretary of the Interior may by rule establish: *Provided further*, That where mineral veins are possessed, which possession is recognized by local authority, and to the extent so possessed and recognized, the title to town lots to be acquired shall be subject to such recognized possession and the necessary use thereof: *Provided, however*, That nothing contained herein shall be so construed as to recognize any color of title in possessors for mining purposes as against the government of the United States.

Circular in relation to the supplemental act, approved March 3, 1865, *for the disposal of coal-lands and town property on the public domain.* (*Vol.* 2, *Lester's Land Laws, Regulations, and Decisions, page* 306.)

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
April 26, 1865.

TO REGISTERS AND RECEIVERS:

The act of Congress of 3d March, 1865, copy hereto appended, *supplementary* to the act of July 1, 1864, "for the disposal of coal-lands and of town property in the public domain," is to enable citizens of the United States who, at the date of the "act, may be in the business of *bona fide* actual coal mining on the public lands, for the purpose of commerce", to enter 160 acres, or less quantity, in legal subdivisions, including their improvements and mining premises, at the premium price of $20 per acre. The law, however, expressly *excludes* from its provisions any lands "reserved by the President of the United States for public uses".

The privilege granted is not a general one, but restricted to a single entry by a designated class of individuals, viz, such as are citizens, and who, on the 3d March, 1865, the date of the act, were actually engaged for "*purposes of commerce*" in "the business of *bona fide* actual coal mining". All persons not so occupied at that date are excluded from the enjoyment of the privilege.

1st. Testimony should be produced satisfactory to the register and receiver, showing the party to be a citizen of the United States, and that, at date of the act, he was engaged "in the business of *bona fide* actual coal mining on the public lands", and "*for the purposes* of commerce".

The facts must be stated in detail, both as to the nature and extent of the coal mining, the period in which the business has been conducted, and in regard to the coal being made by the party an article of commerce, so that a correct judgment may be formed from these facts as to whether the case comes within the purview of the statute. When the proof is clear and conclusive, the register and receiver are authorized to permit the entry, according to "legal subdivisions", in compact form, and so as not to exceed 160 acres.

2d. Where the mining improvements and premises are on land *surveyed "at the passage of this act"*, it is required that a sworn declaratory statement descriptive of the tract and premises, and also of the extent and character of the improvements, *be filed* within *six months* from the date of the act, and that proof and payment must be made within *one year* from the *date* of such filing.

3d. If the mining premises be on land which may be *surveyed after* the passage of said act, then the declaratory statement shall be filed within *three months* from the return of the plat to the district land-office, and proof and payment must be made within *one year* from the date of such filing.

4th. [*Town lots.*] The second section of the act relates to any city or town existing on the public lands at the *date* of the act, and modifies the limitation as to the extent of the areas of the town claim and town lots imposed by the act of 1st July, 1864.

The act of July 1, 1864, limits the town claim to 640 acres, and the town lots to 4,200 feet each; but—

5th. This supplemental act embraces interests "in which the lots and buildings, as municipal improvements,

shall cover an area greater than" 640 acres, and removes the limitation in regard to subsisting cases by declaring that any city or town existing on 3d March, 1865, shall not be debarred entry because of such excess of area over, or of variance from, the size of the town claim or town lots as limited by the act of 1st July, 1864; that, for the excess of square feet contained in said lots beyond the *maximum* named in the act to which this is amendatory, the *minimum* price of each lot shall be increased to such reasonable amount as the Secretary may establish.

6th. In the second section of this supplemental act it is provided that parties having a *possessory* right to *mineral* veins, "which possession *is recognized by local authority*," are to be protected therein; and titles to be acquired to town lots under this act are made subject to "such recognized possession and the necessary use thereof", yet with an *express saving of the paramount title* of the United States.

7th. The act of 1st July, 1864, relating to town property, is only modified as regards the *extent* of the town claim and the *size* of town lots, and by it you will be governed when not in conflict with this supplemental act. Hence it will be necessary for the citizens of the town or city existing at the date of the supplementary act—

First. To file with the recorder of the county in which the town or city is situate a plat thereof, describing its exterior boundaries, and according to the lines of the public surveys where such surveys have been executed.

Second. Also the plat or map of such city or town must exhibit the name of the city or town, the streets, squares, blocks, lots, and alleys, the *size* of the same, *with actual measurements* and area of each municipal division, and a statement of the extent and general character of improvements.

Third. Further, the said map and statement to be verified by oath of the party acting for and on behalf of the city or town; and,

Fourth. Within one month after filing the map or plat with the recorder of the county a verified copy of said map and statement must be sent to the Commissioner of the General Land-Office, with the testimony of two witnesses that such a town is a *bona fide* one, established and existing at the date of this act.

Fifth. Where the city or town is within the limits of an organized land district a similar copy of the map and statement must be filed with the register and receiver thereof.

Sixth. When the city or town is founded *on unsurveyed* lands, the exterior lines of the same must be distinctly marked and established, so that when the lines of the public surveys shall hereafter be run they may be properly closed thereon; and yet it may be lawful to adjust the exterior limits of the premises with the lines of the public surveys, when it can be done without impairing the rights of others.

Seventh. Patents are to issue for all lots sold under the provisions of this act.

Eighth. By the second section of the act of 1st July, 1864, after the transcript and statement have been filed in the General Land-Office, the lots are to be offered at public sale to the highest bidder at a *minimum* of $10 per lot; but, by the supplemental act, when the *area of each lot* exceeds the *maximum* of 4,200 *square feet* the *minimum price* of each lot shall be increased to such reasonable amount as the Secretary of the Interior may establish. A privilege, however, is granted to any actual settler upon any *one* lot of pre-empting that, and any additional lot on which he may have "substantial improvements", at said *minimum* or increased price, at any time before the day fixed for the public sale.

Very respectfully,

J. M. EDMUNDS,
Commissioner.

Approved:

JAS. HARLAN,
Secretary of the Interior.

Supplemental instructions under coal and town property act of July 1, 1864, *and March* 3, 1865.

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
October 20, 1865.

TO REGISTERS AND RECEIVERS, UNITED STATES LAND-OFFICES:

Referring to the circulars from this office, bearing date August 20, 1864, and April 26, 1865, in relation to the act of Congress approved July 1, 1864, and the amendatory law of March 3, 1865, relating to "coal-land and town property" on the public domain, I now herewith append, for your information and government in the matter therein specified, the ruling of the Hon. James Harlan, Secretary of the Interior, under date of October 16, 1865:

In accordance with the authority vested in me by the acts of Congress approved July 1, 1864, and March 3, 1865, I hereby prescribe the following regulations for the disposal of coal-lands and town property in the public domain:

The minimum price of each lot in *a town surveyed before the above-named act of July* 1, 1864, *took effect*, containing over 4,200 square feet and not more than 8,400 square feet, shall be $15; of each lot containing over 8,400 square feet and not more than 12,600 square feet the minimum price shall be $18; of each lot containing over 12,600 square feet and not more than 16,800 square feet the minimum price shall be $20; and for larger lots the price shall be increased $2 for every additional 4,200 square feet.

In the case of out-lots in any such village, town, or city, the minimum price of such out-lots shall be $10; of such out-lots containing more than one acre the minimum price shall be $10 for the first acre, and $5 for each additional acre in such lot.

J. M. EDMUNDS,
Commissioner.

AN ACT granting to A. Sutro the right of way, and granting other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the state of Nevada. (Approved July 25, 1866. U. S. Stats., v. 14, p. 242.)

SECTION 1. That, for the purpose of the construction of a deep draining and exploring tunnel to and beyond the "Comstock lode", so-called, in the state of Nevada, the right of way is hereby granted to A. Sutro, his heirs and assigns, to run, construct, and excavate a mining, draining, and exploring tunnel; also to sink mining, working, or air shafts along the line or course of said tunnel, and connecting with the same at any point which may hereafter be selected by the grantee herein, his heirs or assigns. The said tunnel shall be at least eight feet high and eight feet wide, and shall commence at some point to be selected by the grantee herein, his heirs or assigns, at the hills near Carson river, and within the boundaries of Lyon county, and extending from said initial point in a westerly direction seven miles, more or less, to and beyond said Comstock lode, and the said right of way shall extend northerly and southerly on the course of said lode, either within the same or east or west of the same, and also on or along any other lode which may be discovered or developed by the said tunnel.

SEC. 2. *And be it further enacted*, That the right is hereby granted to the said A. Sutro, his heirs and assigns, to purchase, at one dollar and twenty-five cents per acre, a sufficient amount of public land near the mouth of said tunnel for the use of the same, not exceeding two sections, and such land shall not be mineral land or in the *bona fide* possession of other persons who claim under any law of Congress at the time of the passage of this act, and all minerals existing or which shall be discovered therein are excepted from this grant; that upon filing a plat of said land the Secretary of the Interior shall withdraw the same from sale, and upon payment for the same a patent shall issue; and the said A. Sutro, his heirs and assigns, are hereby granted the right to purchase, at five dollars per acre, such mineral veins and lodes within two thousand feet on each side of said tunnel as shall be cut, discovered, or developed by running and constructing the same through its entire extent, with all the dips, spurs, and angles of such lodes, subject, however, to the provisions of this act and to such legislation as Congress may hereafter provide: *Provided*, That the Comstock lode, with its dips, spurs, and angles, is excepted from this grant, and all other lodes, with their dips, spurs, and angles, located within the said two thousand feet, and which are or may be, at the passage of this act, in the actual *bona fide* possession of other persons, are hereby excepted from such grant; and the lodes herein excepted, other than the Comstock lode, shall be withheld from sale by the United States, and if such lodes shall be abandoned or not worked, possessed, and held in conformity to existing mining rules, or such regulations as have been or may be prescribed by the legislature of Nevada, they shall become subject to such right of purchase by the grantee herein, his heirs or assigns.

SEC. 3. *And be it further enacted*, That all persons, companies, or corporations owning claims or mines on said Comstock lode, or any other lode drained, benefited, or developed by said tunnel, shall hold their claims subject to the condition (which shall be expressed in any grant they may hereafter obtain from the United States) that they shall contribute and pay to the owners of said tunnel the same rate of charges for drainage, or other benefits derived from said tunnel or its branches, as have been or may hereafter be named in agreement between such owners and the companies representing a majority of the estimated value of said Comstock lode at the time of the passage of this act.

CHAP. CCLXII.

AN ACT granting the right of way to ditch and canal owners over the public lands, and for other purposes. (Approved July 26, 1866. U. S. Stats., v. 14, p. 251.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States, and those who have declared their intention to become citizens, subject to such regulations as may be prescribed by law, and subject also to the local customs or rules of miners in the several mining districts, so far as the same may not be in conflict with the laws of the United States.

SEC. 2. *And be it further enacted*, That whenever any person, or association of persons, claim a vein or lode of quartz, or other rock in place, bearing gold, silver, cinnabar, or copper, having previously occupied and improved the same according to the local custom or rules of miners in the district where the same is situated, and having expended in actual labor and improvements thereon an amount of not less than one thousand dollars, and in regard to whose possession there is no controversy or opposing claim, it shall and may be lawful for said claimant, or association of claimants, to file in the local land-office a diagram of the same, so extended, laterally or otherwise, as to conform to the local laws, customs, and rules of miners, and to enter such tract and receive a patent therefor, granting such mine, together with the right to follow such vein or lode, with its dips, angles, and variations, to any depth, although it may enter the land adjoining, which land adjoining shall be sold subject to this condition.

SEC. 3. *And be it further enacted*, That upon the filing of the diagram as provided in the second section of this act, and posting the same in a conspicuous place on the claim, together with a notice of intention to apply for a patent, the register of the land-office shall publish a notice of the same in a newspaper published nearest to the

location of said claim, and shall also post such notice in his office for the period of ninety days; and after the expiration of said period, if no adverse claim shall have been filed, it shall be the duty of the surveyor-general, upon application of the party, to survey the premises and make a plat thereof, indorsed with his approval, designating the number and description of the location, the value of the labor and improvements, and the character of the vein exposed; and upon the payment to the proper officer of five dollars per acre, together with the cost of such survey, plat, and notice, and giving satisfactory evidence that said diagram and notice have been posted on the claim during said period of ninety days, the register of the land-office shall transmit to the General Land-Office said plat, survey, and description, and a patent shall issue for the same thereupon. But said plat, survey, or description shall in no case cover more than one vein or lode, and no patent shall issue for more than one vein or lode, which shall be expressed in the patent issued.

SEC. 4. *And be it further enacted*, That when such location and entry of a mine shall be upon unsurveyed lands, it shall and may be lawful, after the extension thereto of the public surveys, to adjust the surveys to the limits of the premises according to the location and possession and plat aforesaid; and the surveyor-general may, in extending the surveys, vary the same from a rectangular form to suit the circumstances of the country and the local rules, laws, and customs of miners: *Provided*, That no location hereafter made shall exceed two hundred feet in length along the vein for each locator, with an additional claim for discovery to the discoverer of the lode, with the right to follow such vein to any depth, with all its dips, variations, and angles, together with a reasonable quantity of surface for the convenient working of the same, as fixed by local rules: *And provided further*, That no person may make more than one location on the same lode, and not more than three thousand feet shall be taken in any one claim by any association of persons.

SEC. 5. *And be it further enacted*, That, as a further condition of sale, in the absence of necessary legislation by Congress, the local legislature of any state or territory may provide rules for working mines involving easements, drainage, and other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

SEC. 6. *And be it further enacted*, That whenever any adverse claimants to any mine, located and claimed as aforesaid, shall appear before the approval of the survey, as provided in the third section of this act, all proceedings shall be stayed until final settlement and adjudication, in the courts of competent jurisdiction, of the rights of possession to such claim, when a patent may issue as in other cases.

SEC. 7. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to establish additional land districts, and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of this act.

SEC. 8. *And be it further enacted*, That the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.

SEC. 9. *And be it further enacted*, That whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes aforesaid is hereby acknowledged and confirmed: *Provided, however*, That whenever, after the passage of this act, any person or persons shall, in the construction of any ditch or canal, injure or damage the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 10. *And be it further enacted*, That wherever, prior to the passage of this act, upon the lands heretofore designated as mineral lands, which have been excluded from survey and sale, there have been homesteads made by citizens of the United States, or persons who have declared their intention to become citizens, which homesteads have been made, improved, and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar, or copper discovered, and which are properly agricultural lands, the said settlers or owners of such homesteads shall have a right of pre-emption thereto, and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre, and in quantity not to exceed one hundred and sixty acres; or said parties may avail themselves of the provisions of the act of Congress, approved May twenty, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain", and acts amendatory thereof.

SEC. 11. *And be it further enacted*, That, upon the survey of the lands aforesaid, the Secretary of the Interior may designate and set apart such portions of the said lands as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands of the United States, and subject to all the laws and regulations applicable to the same.

CHAP. CCXXXV.

AN ACT to amend "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes." (Approved July 9, 1870. U. S. Stats., v. 16, p. 217.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act granting the right of way to ditch and canal owners over the public lands, and for other purposes, approved July twenty-six, eighteen hundred and sixty-six, be, and the same is hereby, amended by adding thereto the following additional sections, numbered twelve, thirteen, fourteen, fifteen, sixteen, and seventeen, respectively, which shall hereafter constitute and form a part of the aforesaid act:

SEC. 12. *And be it further enacted*, That claims, usually called "placers", including all forms of deposit, excepting veins of quartz, or other rock in place, shall be subject to entry and patent under this act, under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode-claims: *Provided*, That, where the lands have been previously surveyed by the United States, the entry in its exterior limits shall conform to the legal subdivisions of the public lands, no further survey or plat in such case being required, and the lands may be paid for at the rate of two dollars and fifty cents per acre: *Provided further*, That legal subdivisions of forty acres may be subdivided into ten-acre tracts; and that two or more persons, or associations of persons, having contiguous claims of any size, although such claims may be less than ten acres each, may make joint entry thereof: *And provided urther*, That no location of a placer-claim, hereafter made, shall exceed one hundred and sixty acres for any one person or association of persons, which location shall conform to the United States surveys; and nothing in this section contained shall defeat or impair any *bona-fide* pre-emption or homestead claim upon agricultural lands, or authorize the sale of the improvements of any *bona-fide* settler to any purchaser.

SEC. 13. *And be it further enacted*, That where said person or association, they and their grantors, shall have held and worked their said claims for a period equal to the time prescribed by the statute of limitations for mining-claims of the state or territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this act, in the absence of any adverse claim: *Provided, however*, That nothing in this act shall be deemed to impair any lien which may have attached in any way whatever to any mining-claim or property thereto attached prior to the issuance of a patent.

SEC. 14. *And be it further enacted*, That all *ex-parte* affidavits required to be made under this act, or the act of which it is amendatory, may be verified before any officer authorized to administer oaths within the land district where the claims may be situated.

SEC. 15. *And be it further enacted*, That registers and receivers shall receive the same fees for services under this act as are provided by law for like services under other acts of Congress; and that effect shall be given to the foregoing act according to such regulations as may be prescribed by the Commissioner of the General Land-Office.

SEC. 16. *And be it further enacted*, That so much of the act of March third, eighteen hundred and fifty-three, entitled "An act to provide for the survey of the public lands in California, the granting of pre-emption rights, and for other purposes", as provides that none other than township lines shall be surveyed where the lands are mineral, is hereby repealed. And the public surveys are hereby extended over all such lands: *Provided*, That all subdividing of surveyed lands into lots less than one hundred and sixty acres may be done by county and local surveyors at the expense of the claimants: *And provided further*, That nothing herein contained shall require the survey of waste or useless lands.

SEC. 17. *And be it further enacted*, That none of the rights conferred by sections five, eight, and nine of the act to which this act is amendatory shall be abrogated by this act, and the same are hereby extended to all public lands affected by this act; and all patents granted, or pre-emption or homesteads allowed, shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the ninth section of the act of which this act is amendatory. But nothing in this act shall be construed to repeal, impair, or in any way affect the provisions of the "Act granting to A. Sutro the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the state of Nevada", approved July twenty-fifth, eighteen hundred and sixty-six.

AN ACT to promote the development of the mining resources of the United States. (Approved May 10, 1872. U. S. Stats., v. 17, p. 91.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

SEC. 2. That mining-claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits heretofore located, shall be governed as to length along the vein or

lode by the customs, regulations, and laws in force at the date of their location. A mining-claim located after the passage of this act, whether located by one or more persons, may equal, but shall not exceed, one thousand five hundred feet in length along the vein or lode; but no location of a mining-claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than three hundred feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights existing at the passage of this act shall render such limitation necessary. The end-lines of each claim shall be parallel to each other.

SEC. 3. That the locators of all mining locations heretofore made, or which shall hereafter be made, on any mineral vein, lode, or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists at the passage of this act, so long as they comply with the laws of the United States, and the state, territorial, and local regulations not in conflict with said laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which lies inside of such surface-lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of said surface locations: *Provided*, That their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as aforesaid, through the end-lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of said veins or ledges: *And provided further*, That nothing in this section shall authorize the locator or possessor of a vein or lode which extends, in its downward course, beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another.

SEC. 4. That where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

SEC. 5. That the miners of each mining district may make rules and regulations not in conflict with the laws of the United States, or with the laws of the state or territory in which the district is situated, governing the location manner of recording, amount of work necessary to hold possession of a mining-claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining-claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the passage of this act, and until a patent shall have been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year. On all claims located prior to the passage of this act, ten dollars' worth of labor shall be performed or improvements made each year for each one hundred feet in length along the vein until a patent shall have been issued therefor; but, where such claims are held in common, such expenditure may be made upon any one claim; and, upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made: *Provided*, That the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after such failure and before such location. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required by this act, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication, such delinquent should fail or refuse to contribute his proportion to comply with this act, his interest in the claim shall become the property of his co-owners who have made the required expenditures.

SEC. 6. That a patent for any land claimed and located for valuable deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this act, may file in the proper land-office an application for a patent, under oath, showing such compliance, together with a plat and field-notes of the claim or claims in common, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of the claim or claims, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted as aforesaid, and shall file a copy of said notice in such land-office, and shall thereupon be entitled to a patent for said land, in the manner following: The

register of the land-office, upon the filing of such application, plat, field-notes, notices, and affidavits, shall publish a notice that such application has been made, for the period of sixty days, in a newspaper to be by him designated as published nearest to said claim; and he shall also post such notice in his office for the same period. The claimant, at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the register a certificate of the United States surveyor-general that five hundred dollars' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description, to be incorporated in the patent. At the expiration of the sixty days of publication, the claimant shall file his affidavit showing that the plat and notice have been posted in a conspicuous place on the claim during said period of publication. If no adverse claim shall have been filed with the register and the receiver of the proper land-office at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent, upon the payment to the proper officer of five dollars per acre, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with this act.

SEC. 7. That, where an adverse claim shall be filed during the period of publication, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction, to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered, the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment-roll with the register of the land-office, together with the certificate of the surveyor-general that the requisite amount of labor has been expended, or improvements made thereon, and the description required in other cases, and shall pay to the receiver five dollars per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment-roll shall be certified by the register to the Commissioner of the General Land-Office, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, to rightly possess. If it shall appear from the decision of the court, that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the surveyor-general, whereupon the register shall certify the proceedings and judgment-roll to the Commissioner of the General Land-Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights. Proof of citizenship under this act, or the acts of July twenty-sixth, eighteen hundred and sixty-six, and July ninth, eighteen hundred and seventy, in the case of an individual, may consist of his own affidavit thereof, and in case of an association of persons unincorporated of the affidavit of their authorized agent, made on his own knowledge, or upon information and belief, and in case of a corporation organized under the laws of the United States, or of any state or territory of the United States, by the filing of a certified copy of their charter or certificate of incorporation; and nothing herein contained shall be construed to prevent the alienation of the title conveyed by patent for a mining-claim to any person whatever.

SEC. 8. That the description of vein or lode claims, upon surveyed lands, shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued, as aforesaid, for claims upon unsurveyed lands, the surveyor-general, in extending the surveys, shall adjust the same to the boundaries of such patented claim, according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

SEC. 9. That sections one, two, three, four, and six of an act entitled "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes", approved July twenty-sixth, eighteen hundred and sixty-six, are hereby repealed, but such repeal shall not affect existing rights. Applications for patents for mining-claims now pending may be prosecuted to a final decision in the General Land-Office; but in such cases where adverse rights are not affected thereby, patents may issue in pursuance of the provisions of this act; and all patents for mining-claims heretofore issued under the act of July twenty-sixth, eighteen hundred and sixty-six, shall convey all the rights and privileges conferred by this act where no adverse rights exist at the time of the passage of this act.

SEC. 10. That the act entitled "An act to amend an act granting the right of way to ditch and canal owners over the public lands, and for other purposes", approved July ninth, eighteen hundred and seventy, shall be and remain in full force, except as to the proceedings to obtain a patent, which shall be similar to the proceedings prescribed by sections six and seven of this act for obtaining patents to vein or lode claims; but where said placer-claims shall be upon surveyed lands, and conform to legal subdivisions, no further survey or plat shall be required, and all placer-mining claims hereafter located shall conform as near as practicable with the United States system of public-land surveys and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant, but where placer-claims cannot be conformed to legal subdivisions, survey

and plat shall be made as on unsurveyed lands: *Provided*, That proceedings now pending may be prosecuted to their final determination under existing laws; but the provisions of this act, when not in conflict with existing laws, shall apply to such cases: *And provided also*, That where, by the segregation of mineral land in any legal subdivision, a quantity of agricultural land less than forty acres remains, said fractional portion of agricultural land may be entered, by any party qualified by law, for homestead or pre-emption purposes.

SEC. 11. That where the same person, association, or corporation is in possession of a placer-claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer-claim, with the statement that it includes such vein or lode, and in such case (subject to the provisions of this act and the act entitled "An act to amend an act granting the right of way to ditch and canal owners over the public lands, and for other purposes", approved July ninth, eighteen hundred and seventy) a patent shall issue for the placer-claim, including such vein or lode, upon the payment of five dollars per acre for such vein or lode-claim and twenty-five feet of surface on each side thereof. The remainder of the placer-claim, or any placer-claim not embracing any vein or lode claim, shall be paid for at the rate of two dollars and fifty cents per acre, together with all costs of proceedings; and where a vein or lode, such as is described in the second section of this act, is known to exist within the boundaries of a placer-claim, an application for a patent for such placer-claim, which does not include an application for the vein or lode-claim, shall be construed as a conclusive declaration that the claimant of the placer-claim has no right of possession of the vein or lode-claim; but where the existence of a vein or lode in a placer-claim is not known, a patent for the placer-claim shall convey all valuable mineral and other deposits within the boundaries thereof.

SEC. 12. That the surveyor-general of the United States may appoint in each land district containing mineral lands as many competent surveyors as shall apply for appointment to survey mining-claims. The expenses of the survey of vein or lode-claims, and the survey and subdivision of placer-claims into smaller quantities than one hundred and sixty acres, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any United States deputy surveyor to make the survey. The Commissioner of the General Land-Office shall also have power to establish the maximum charges for surveys and publication of notices under this act; and, in case of excessive charges for publication, he may designate any newspaper published in a land district where mines are situated, for the publication of mining-notices in such district, and fix the rates to be charged by such paper; and, to the end that the Commissioner may be fully informed on the subject, each applicant shall file with the register a sworn statement of all charges and fees paid by said applicant for publication and surveys, together with all fees and money paid the register and the receiver of the land-office, which statement shall be transmitted, with the other papers in the case, to the Commissioner of the General Land-Office. The fees of the register and the receiver shall be five dollars each for filing and acting upon each application for a patent or adverse claim filed, and they shall be allowed the amount fixed by law for reducing testimony to writing, when done in the land-office, such fees and allowances to be paid by the respective parties; and no other fees shall be charged by them in such cases. Nothing in this act shall be construed to enlarge or affect the rights of either party in regard to any property in controversy at the time of the passage of this act, or of the act entitled "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes", approved July twenty-sixth, eighteen hundred and sixty-six, nor shall this act affect any right acquired under said act; and nothing in this act shall be construed to repeal, impair, or in any way affect the provisions of the act entitled "An act granting to A. Sutro the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the state of Nevada", approved July twenty-fifth, eighteen hundred and sixty-six.

SEC. 13. That all affidavits required to be made under this act, or the act of which it is amendatory, may be verified before any officer authorized to administer oaths within the land district where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the register and receiver of the land-office. In cases of contest as to the mineral or agricultural character of land, the testimony and proofs may be taken as herein provided, on personal notice of at least ten days to the opposing party; or, if said party cannot be found, then by publication of at least once a week for thirty days in a newspaper, to be designated by the register of the land-office as published nearest to the location of such land; and the register shall require proof that such notice has been given.

SEC. 14. That where two or more veins intersect or cross each other, priority of title shall govern, and such prior location shall be entitled to all ore or mineral contained within the space of intersection: *Provided, however*, That the subsequent location shall have the right of way through said space of intersection for the purposes of the convenient working of the said mine: *And provided also*, That where two or more veins unite, the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

SEC. 15. That where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface-ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable under this act to veins or lodes: *Provided*, That no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made

at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in this section.

SEC. 16. That all acts and parts of acts inconsistent herewith are hereby repealed: *Provided*, That nothing contained in this act shall be construed to impair, in any way, rights or interests in mining property acquired under existing laws.

AN ACT to provide for the sale of the lands of the United States containing coal. (Approved March 3, 1873. U. S. Stats., v. 17, p. 607.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person above the age of twenty-one years who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register of the proper land-office, have the right to enter, by legal subdivisions, any quantity of vacant coal-lands of the United States not otherwise appropriated or reserved by competent authority, not exceeding one hundred and sixty acres to such individual person, or three hundred and twenty acres to such association, upon payment to the receiver of not less than ten dollars per acre for such lands, where the same shall be situated more than fifteen miles from any completed railroad, and not less than twenty dollars per acre for such lands as shall be within fifteen miles of such road.

SEC. 2. That any person or association of persons, severally qualified as above, who have opened and improved, or shall hereafter open and improve, any coal-mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry, under the foregoing provisions, of the mines so opened and improved: *Provided*, That when any association of not less than four persons, severally qualified as in section one of this act, shall have expended not less than five thousand dollars in working and improving any such mine or mines, such association may enter not exceeding six hundred and forty acres, including such mining improvements.

SEC. 3. That all claims under section two of this act must be presented to the register of the proper land district within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefor: *Provided*, That when the township plat is not on file at the date of such improvement, filing must be made within sixty days from the receipt of such plat at the district office: *And provided further*, That where the improvements shall have been made prior to the expiration of three months from the passage of this act, sixty days from the expiration of said three months shall be allowed for the filing of a declaratory statement, and no sale under the provisions of this act shall be allowed until the expiration of six months from the date hereof.

SEC. 4. That this act shall be held to authorize only one entry by the same person or association of persons under its provisions; and no association of persons, any member of which shall have taken the benefit of this act, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions of this act; and no member of any association which shall have taken the benefit of this act shall enter or hold any other lands under its provisions; and all persons claiming under section two hereof shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and, upon failure to file the proper notice, or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

SEC. 5. That in case of conflicting claims upon lands where the improvements shall be hereafter commenced, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase; and also where improvements have already been made at the date of the passage of this act, division of the land claimed may be made, by legal subdivisions, to include, as near as may be, the valuable improvements of the respective parties; and the Commissioner of the General Land-Office shall be, and is hereby, authorized to issue all needful rules and regulations for carrying into effect the provisions of this act.

SEC. 6. That nothing in this act shall be construed to destroy or impair any rights which may have attached prior to its passage, or to authorize the sale of lands valuable for mines of gold, silver, or copper.

[Circular.]

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
Washington, D. C., July 31, 1882.

GENTLEMEN: The following sections of the Revised Statutes provide for the sale of coal-lands of the United States:

TITLE XXXII, CHAP. 6.—MINERAL LANDS AND MINING RESOURCES.

SEC. 2347. Every person above the age of twenty-one years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register of the proper land-office, have the right to enter, by legal subdivisions, any quantity of vacant coal-lands of the United States not otherwise appropriated or reserved by competent authority, not exceedngi one hundred and sixty acres to such individual person, or three hundred and twenty acres

to such association, upon payment to the receiver of not less than ten dollars per acre for such lands, where the same shall be situated more than fifteen miles from any completed railroad, and not less than twenty dollars per acre for such lands as shall be within fifteen miles of such road.

SEC. 2348. Any person or association of persons severally qualified, as above provided, who have opened and improved, or shall hereafter open and improve, any coal-mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry, under the preceding section, of the mines so opened and improved: *Provided*, That when any association of not less than four persons, severally qualified as above provided, shall have expended not less than five thousand dollars in working and improving any such mine or mines, such association may enter not exceeding six hundred and forty acres, including such mining improvements.

SEC. 2349. All claims under the preceding section must be presented to the register of the proper land district within sixty days after the date of actual possession and the commencement of improvements on the land, by the filing of a declaratory statement therefor; but when the township plat is not on file at the date of such improvement, filing must be made within sixty days from the receipt of such plat at the district office; and where the improvements shall have been made prior to the expiration of three months from the third day of March, eighteen hundred and seventy-three, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement, and no sale under the provisions of this section shall be allowed until the expiration of six months from the third day of March, eighteen hundred and seventy-three.

SEC. 2350. The three preceding sections shall be held to authorize only one entry by the same person or association of persons; and no association of persons, any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such sections shall enter or hold any other lands under their provisions; and all persons claiming under section twenty-three hundred and forty-eight shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice, or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

SEC. 2351. In case of conflicting claims upon coal-lands where the improvements shall be commenced after the third day of March, eighteen hundred and seventy-three, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase; and also where improvements have already been made prior to the third day of March, eighteen hundred and seventy-three, division of the land claimed may be made, by legal subdivisions, to include, as near as may be, the valuable improvements of the respective parties. The Commissioner of the General Land-Office is authorized to issue all needful rules and regulations for carrying into effect the provisions of this and the four preceding sections.

SEC. 2352. Nothing in the five preceding sections shall be construed to destroy or impair any rights which may have attached prior to the third day of March, eighteen hundred and seventy-three, or to authorize the sale of lands valuable for mines of gold, silver, or copper.

RULES AND REGULATIONS.

Under the authority conferred by said section 2351, the following rules and regulations are issued for carrying into effect the provisions of said law.

1. The sale of coal-lands is provided for—

By ordinary *private entry* under section 2347.

By granting a *preference right* of purchase, based on priority of possession and improvement, under section 2348.

2. The land entered under either section must be *by legal subdivisions*, as made by the regular United States survey. Entry is confined to surveyed lands; to such as are vacant, not otherwise appropriated, reserved by competent authority, or containing valuable minerals other than coal.

3. Individuals and associations may purchase. If an individual, he must be twenty-one years of age and a citizen of the United States, or have declared his intention to become such citizen.

4. If an association of persons, each person must be qualified as above.

5. A person is not disqualified by the ownership of any quantity of other land, nor by having removed from his own land in the same state or territory.

6. Any individual may enter, by legal subdivisions, as aforesaid, any area not exceeding 160 acres.

7. Any association may enter not to exceed 320 acres.

8. Any association of not less than four persons, duly qualified, who shall have expended not less than $5,000 in working and improving any coal-mine or mines, may enter, under section 2348, not exceeding 640 acres, including such mining improvements.

9. One person can have the benefit of one entry or filing *only*. He is disqualified by having made such entry or filing alone, or as a member of an association. No entry can be allowed an association which has in it a single person thus disqualified, as the law prohibits the entry or holding of more than one claim either by an individual or an association.

10. Lands that are sufficiently valuable for gold, silver, or copper to prevent their entry as agricultural lands cannot be entered as coal-lands, and you will not allow any entry to be made, under the above-named provisions of law, of lands valuable for their deposits of said minerals.

11. The present rules relative to "hearings to establish the character of lands", contained in General Land-Office regulations of October 31, 1881, issued under the mining laws, will, as far as applicable, govern your action in determining the character of lands sought to be entered as coal-land.

12. The price per acre is $10 where the land is situated *more* that 15 miles from any completed railroad, and

$20 per acre where the land is *within* 15 miles of such road. The price of the land, however, must be determined by its distance from a completed railroad at the date of payment and entry, irrespective of the preference right of entry.

13. When application is made to purchase coal-land at the rate of $10 per acre you will, in all cases, require satisfactory proof that the land applied for is, at date of entry, situated more than 15 miles from any completed railroad. This proof may consist of the affidavit of the applicant, or that of his duly-authorized agent, corroborated by the affidavit of some disinterested credible party showing personal knowledge of the facts.

14. Where the land lies *partly within* 15 miles of such road and in *part outside* such limit, the *maximum* price must be paid for all legal subdivisions, the greater part of which lies within 15 miles of such road.

15. The term "completed railroad" is held to mean one which is actually constructed on the face of the earth; and lands within 15 miles of any point of a railroad so constructed will be held and disposed of at $20 per acre.

16. Any duly-qualified person or association must be preferred as purchasers of those public lands on which they have opened and improved, or shall open and improve, any coal-mine or mines, and which they shall have in actual possession.

17. Possession by agent is recognized as the possession of the principal. The clearest proof on the point of agency must, however, be required in every case, and a clearly-defined possession must be established.

18. The *opening and improving* of a coal-mine, in order to confer a preference right of purchase, must not be considered as a mere matter of form; the labor expended and improvements made must be such as to clearly indicate the good faith of the claimant.

19. These lands are intended to be sold, where there are adverse claimants therefor, to a party, who, by substantial improvements, actual possession, and a reasonable industry, shows an intention to continue his development of the mines, in preference to those who would purchase for speculative purposes only. With this view you will require such proof of compliance with the law, when lands are applied for under section 2348 by adverse claimants, as the circumstances of each case may justify.

20. In conflicts, where improvements have been, or shall hereafter be, commenced, priority of possession and improvement shall govern the award when the law has been fully complied with by each party. A mere possession, however, without satisfactory improvements, will not secure the tract to the first occupant when a subsequent claimant shows his full compliance with the law.

21. After an entry has been allowed to one party, you will make no investigation concerning it at the instance of any person except on instructions from this office. You will, however, receive all affidavits concerning such case, and forward the same to this office, accompanied by a statement of the facts as shown by your records.

22. Prior to entry it is competent for you to order an investigation, on sufficient grounds, set forth under oath of a party in interest and substantiated by the affidavits of disinterested and credible witnesses.

MANNER OF OBTAINING TITLE.

23. When title is sought by *private entry*, the party will himself make oath to the following application, which must be presented to the register:

I, ——— ———, hereby apply, under the provisions of the Revised Statutes of the United States relating to the sale of coal-lands of the United States, to purchase the ——— quarter of section ———, in township ———, of range ———, in the district of lands subject to sale at the land-office at ———, and containing ——— acres; and I solemnly swear that no portion of said tract is in the possession of any other party; that I am twenty-one years of age, a citizen of the United States (or have declared my intention to become a citizen of the United States), and have never held nor purchased lands under said act, either as an individual or as a member of an association; and I do further swear that I am well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that my knowledge of said land is such as to enable me to testify understandingly with regard thereto; that said land contains large deposits of coal, and is chiefly valuable therefor; that there is not, to my knowledge, within the limits thereof, any vein or lode of quartz or other rock in place bearing gold, silver, or copper, and that there is not within the limits of said land, to my knowledge, any valuable deposit of gold, silver, or copper. So help me God.

——— ———.

24. Thereupon the register, if the tract is vacant, will so certify to the receiver, stating the price, and the applicant, or his duly-authorized agent, must then pay the amount of purchase money.

25. The receiver will then issue to the purchaser a duplicate receipt, and at the close of the month the register and receiver will make returns of the sales to the General Land-Office, from whence, when the proceedings are found regular, a patent or complete title will be issued; and on surrender of the duplicate receipt such patent will be delivered, at the option of the patentee, either by the Commissioner at Washington or by the register at the district land-office.

26. This disposition at private entry will be subject to any valid prior adverse right which may have attached to the same land, and which is protected by section 2348.

27. *Second.* When the application to purchase is based on a priority of possession, etc., as provided for in section 2348, the claimant must, when the township plat is on file in your office, file his declaratory statement for the tract claimed sixty days from and after the first day of his actual possession and improvement. Sixty days, exclusive of the first day of possession, etc., must be allowed.

28. The declaratory statement must be substantially as follows, to wit:

I, ——— ———, do solemnly swear that I am ——— years of age and a citizen of the United States (or have declared my intention to become a citizen of the United States); that I never have, either as an individual or as a member of an association, held or purchased any coal-lands under the provisions of the Revised Statutes of the United States relating to the sale of coal-lands of the United States; and I do hereby declare my intention to purchase, under the provisions aforesaid, the ——— quarter of section ———, in township ———, of range ———, of lands subject to sale at the district land-office at ———; and that I came into possession of said tract on the ——— day of ———, A. D. 18——, and have ever since remained in actual possession continuously; that I have located and opened a valuable mine of coal thereon; and have expended in labor and improvements on said mine the sum of ——— dollars, the labor and improvements being as follows [here describe the nature and character of the improvements]; and I do furthermore solemnly swear that I am well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that my knowledge of said land is such as to enable me to testify understandingly with regard thereto; that there is not, to my knowledge, within the limits thereof, any vein or lode of quartz or other rock in place bearing gold, silver, or copper, and that there is not, within the limits of said land, to my knowledge, any valuable deposit of gold, silver, or copper. So help me God.

——— ———.

29. When the township plat is not on file at date of claimant's first possession, the declaratory statement must be filed within sixty days from the filing of such plat in your office.

30. One year from and after the expiration of the period allowed for filing the declaratory statement is given within which to make proof and payment; but you will allow no party to make final proof and payment except on notice to all others who appear on your records as claimants to the same tract.

31. A party who otherwise complies with the law may enter *after* the expiration of said year, *provided* no valid adverse right shall have intervened. He postpones his entry beyond said year at his own risk, and the government cannot thereafter protect him against another who complies with the law, and the value of his improvements can have no weight in his favor.

32. Each claimant, at the time of actual purchase, must make affidavit as follows:

I, ——— ———, claiming, under the provisions of the Revised Statutes of the United States relating to the sale of coal-lands of the United States, the right to purchase the ——— quarter of section ———, in township ———, of range ———, subject to sale at ———, do solemnly swear that I have never had the right of purchase under the aforesaid provisions of law, either as an individual or as a member of an association, and that I have never held any other lands under its provisions; I further swear that I have expended, in developing coal-mines on said tract, in labor and improvements, the sum of ——— dollars, the nature of such improvements being as follows: ———; that I am now in the actual possession of said mines, and make the entry for my own use and benefit, and not directly or indirectly for the use and benefit of any other party; and I do furthermore swear that I am well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that my knowledge of said land is such as to enable me to testify understandingly with regard thereto; that the same is chiefly valuable for coal; that there is not, to my knowledge, within the limits thereof any vein or lode of quartz or other rock in place bearing gold, silver, or copper, and that there is not within the limits of said land, to my knowledge, any valuable deposit of gold, silver, or copper. So help me God.

——— ———.

33. The application, declaratory statement, and the affidavit required at the time of actual purchase, the forms of which are given above under paragraphs 23, 28, and 32, may be sworn to before any officer authorized by law to administer oaths, but the authority of such officer must be properly shown.

34. Any party duly qualified under the law, *after* swearing to his application or declaratory statement, may, by a sufficient power of attorney, duly executed under the laws of the state or territory in which such party may then be residing, empower an agent to file with the register of the proper land-office the application, declaratory statement, or affidavit required at the time of actual purchase, and also authorize him to make payment for and entry of the land in the name of such qualified party; and when such power of attorney shall have been filed in your office you will permit such agent to act thereunder as above indicated.

35. Where a claimant shows by affidavit that he is not personally acquainted with the character of the land, his duly-authorized agent, who possesses such knowledge, may make the required affidavit as to its character; but, whether this affidavit is made by principal or agent, it must be corroborated by the affidavits of two disinterested and credible witnesses having knowledge of its character.

36. Nothing in these regulations shall be so construed as to prevent a party from proving his citizenship or age, or establishing the status of the land sought to be entered, in accordance with ordinary rules of evidence; and any proof regularly introduced for that purpose that would be competent in a court or before a commissioner charged with the ascertainment of facts may be considered.

37. Assignments of the right to purchase will be recognized when properly executed. Proof and payment must be made, however, within the prescribed period, which dates from the first day of the possession of the assignor who initiated the claim.

38. The "Rules of Practice" in cases before the United States district land-offices, the General Land-Office, and the Department of the Interior, approved December 20, 1880, will, as far as applicable, govern all cases and proceedings arising under the sections of the Revised Statutes above quoted providing for the sale of coal-lands of the United States.

39. You will report at the close of each month as "sales of coal-lands" all filings and entries in separate abstracts, commencing with number *one*, and thereafter proceeding consecutively in the order of their reception.

Where a series of numbers has already been commenced by sale of coal-lands, you will continue the same without change.

N. C. McFARLAND,
Commissioner.

To Registers and Receivers.

Department of Interior, *July* 31, 1882.

Approved:

H. M. TELLER,
Secretary.

Title XXXII, Chap. 6. (U. S. Rev. Stats., p. 425.)

Section 2318. In all cases lands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

Sec. 2319. All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

Sec. 2320. Mining-claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, heretofore located, shall be governed as to length along the vein or lode by the customs, regulations, and laws in force at the date of their location. A mining-claim located after the tenth day of May, eighteen hundred and seventy-two, whether located by one or more persons, may equal, but shall not exceed, one thousand five hundred feet in length along the vein or lode; but no location of a mining-claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than three hundred feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights, existing on the tenth day of May, eighteen hundred and seventy-two, render such limitation necessary. The end-lines of each claim shall be parallel to each other.

Sec. 2321. Proof of citizenship, under this chapter, may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge, or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any state or territory thereof, by the filing of a certified copy of their charter or certificate of incorporation.

Sec. 2322. The locators of all mining locations heretofore made, or which shall hereafter be made, on any mineral vein, lode, or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists on the tenth day of May, eighteen hundred and seventy-two, so long as they comply with the laws of the United States, and with state, territorial, and local regulations not in conflict with the laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which lies inside of such surface-lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of such surface locations. But their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward, as above described, through the end-lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of such veins or ledges. And nothing in this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another.

Sec. 2323. Where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of such tunnel.

Sec. 2324. The miners of each mining district may make regulations not in conflict with the laws of the United States, or with the laws of the state or territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining-claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of

mining-claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the tenth day of May, eighteen hundred and seventy-two, and until a patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year. On all claims located prior to the tenth day of May, eighteen hundred and seventy-two, ten dollars' worth of labor shall be performed or improvements made by the tenth day of June, eighteen hundred and seventy-four, and each year thereafter for each one hundred feet in length along the vein until a patent has been issued therefor; but where such claims are held in common such expenditure may be made upon any one claim; and upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives, have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required hereby, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing, or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication, such delinquent should fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his co-owners who have made the required expenditures.

SEC. 2325. A patent for any land claimed and located for valuable deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this chapter, having claimed and located a piece of land for such purposes, who has, or have, complied with the terms of this chapter, may file in the proper land-office an application for a patent, under oath, showing such compliance, together with a plat and field-notes of the claim or claims in common, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of the claim or claims, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such land-office, and shall thereupon be entitled to a patent for the land, in the manner following: The register of the land-office, upon the filing of such application, plat, field-notes, notices, and affidavits, shall publish a notice that such application has been made, for the period of sixty days, in a newspaper to be by him designated as published nearest to such claim; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter, within the sixty days of publication, shall file with the register a certificate of the United States surveyor-general that five hundred dollars' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description, to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the register and the receiver of the proper land-office at the expiration to the sixty days of publication, it shall be assumed that the applicant is entitled to a patent, upon the payment to the proper officer of five dollars per acre, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this chapter.

SEC. 2326. Where an adverse claim is filed during the period of publication, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction, to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered, the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment-roll with the register of the land-office, together with the certificate of the surveyor-general that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the receiver five dollars per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment-roll shall be certified by the register to the Commissioner of the General Land-Office, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, to rightly possess. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the surveyor-general, whereupon the register shall certify the proceedings and judgment-roll to the Commissioner of the General

Land-Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining-claim to any person whatever.

SEC. 2327. The description of vein or lode-claims upon surveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands, the surveyor-general, in extending the surveys, shall adjust the same to the boundaries of such patented claim, according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

SEC. 2328. Applications for patents for mining-claims under former laws now pending may be prosecuted to a final decision in the General Land-Office; but in such cases, where adverse rights are not affected thereby, patents may issue in pursuance of the provisions of this chapter; and all patents for mining-claims upon veins or lodes heretofore issued shall convey all the rights and privileges conferred by this chapter where no adverse rights existed on the tenth day of May, eighteen hundred and seventy-two.

SEC. 2329. Claims usually called "placers", including all forms of deposit, excepting veins of quartz or other rock in place, shall be subject to entry and patent, under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode-claims; but where the lands have been previously surveyed by the United States, the entry in its exterior limits shall conform to the legal subdivisions of the public lands.

SEC. 2330. Legal subdivisions of forty acres may be subdivided into ten-acre tracts; and two or more persons, or associations of persons, having contiguous claims of any size, although such claims may be less than ten acres each, may make joint entry thereof; but no location of a placer-claim, made after the ninth day of July, eighteen hundred and seventy, shall exceed one hundred and sixty acres for any one person or association of persons, which location shall conform to the United States surveys; and nothing in this section contained shall defeat or impair any *bona fide* pre-emption or homestead claim upon agricultural lands, or authorize the sale of the improvements of any *bona fide* settler to any purchaser.

SEC. 2331. Where placer-claims are upon surveyed lands, and conform to legal subdivisions, no further survey or plat shall be required, and all placer-mining claims located after the tenth day of May, eighteen hundred and seventy-two, shall conform as near as practicable with the United States system of public-land surveys, and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer-claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where, by the segregation of mineral lands in any legal subdivision, a quantity of agricultural land less than forty acres remains, such fractional portion of agricultural land may be entered, by any party qualified by law, for homestead or pre-emption purposes.

SEC. 2332. Where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations for mining-claims of the state or territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this chapter, in the absence of any adverse claim; but nothing in this chapter shall be deemed to impair any lien which may have attached, in any way whatever, to any mining-claim or property thereto attached prior to the issuance of a patent.

SEC. 2333. Where the same person, association, or corporation is in possession of a placer-claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer-claim, with the statement that it includes such vein or lode, and in such case a patent shall issue for the placer-claim, subject to the provisions of this chapter, including such vein or lode, upon the payment of five dollars per acre for such vein or lode-claim, and twenty-five feet of surface on each side thereof. The remainder of the placer-claim, or any placer-claim not embracing any vein or lode-claim, shall be paid for at the rate of two dollars and fifty cents per acre, together with all costs of proceedings; and where a vein or lode, such as is described in section twenty-three hundred and twenty, is known to exist within the boundaries of a placer-claim, an application for a patent for such placer-claim which does not include an application for the vein or lode-claim shall be construed as a conclusive declaration that the claimant of the placer-claim has no right of possession of the vein or lode-claim; but where the existence of a vein or lode in a placer-claim is not known, a patent for the placer-claim shall convey all valuable mineral and other deposits within the boundaries thereof.

SEC. 2334. The surveyor-general of the United States may appoint, in each land district containing mineral lands, as many competent surveyors as shall apply for appointment to survey mining-claims. The expenses of the survey of vein or lode-claims, and the survey and subdivision of placer-claims into smaller quantities than one hundred and sixty acres, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any United States deputy surveyor to make the survey. The Commissioner of the General Land-Office shall also have power to establish the maximum charges for surveys and publication of notices under this chapter; and, in case of excessive charges for publication, he may designate any newspaper published in a land district where mines are situated for the publication of mining notices in such district, and fix the rates to be charged by such paper; and,

to the end that the Commissioner may be fully informed on the subject, each applicant shall file with the register a sworn statement of all charges and fees paid by such applicant for publication and surveys, together with all fees and money paid the register and the receiver of the land-office, which statement shall be transmitted, with the other papers in the case, to the Commissioner of the General Land-Office.

SEC. 2335. All affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths within the land district where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the register and receiver of the land-office. In cases of contest as to the mineral or agricultural character of the land, the testimony and proofs may be taken, as herein provided, on personal notice of at least ten days to the opposing party; or, if such party cannot be found, then by publication of at least once a week for thirty days in a newspaper, to be designated by the register of the land-office as published nearest to the location of such land; and the register shall require proof that such notice has been given.

SEC. 2336. Where two or more veins intersect or cross each other, priority of title shall govern; and such prior location shall be entitled to all ore or mineral contained within the space of intersection; but the subsequent location shall have the right of way through the space of intersection for the purposes of the convenient working of the mine. And where two or more veins unite, the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

SEC. 2337. Where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface-ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by this chapter for the superficies of the lode. The owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in this section.

SEC. 2338. As a condition of sale, in the absence of necessary legislation by Congress, the local legislature of any state or territory may provide rules for working mines involving easements, drainage, and other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

SEC. 2339. Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 2340. All patents granted, or pre-emption or homesteads allowed, shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights, as may have been acquired under or recognized by the preceding section.

SEC. 2341. Wherever, upon the lands heretofore designated as mineral lands which have been excluded from survey and sale, there have been homesteads made by citizens of the United States, or persons who have declared their intention to become citizens, which homesteads have been made, improved, and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar, or copper discovered, and which are properly agricultural lands, the settlers or owners of such homesteads shall have a right of pre-emption thereto, and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre, and in quantity not to exceed one hundred and sixty acres; or they may avail themselves of the provisions of chapter five of this title, relating to "HOMESTEADS".

SEC. 2342. Upon the survey of the lands described in the preceding section, the Secretary of the Interior may designate and set apart such portions of the same as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands, and be subject to all the laws and regulations applicable to the same.

SEC. 2343. The President is authorized to establish additional land districts, and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of this chapter.

SEC. 2344. Nothing contained in this chapter shall be construed to impair, in any way, rights or interests in mining property acquired under existing laws; nor to affect the provisions of the act entitled "An act granting to A. Sutro the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the state of Nevada", approved July twenty-five, eighteen hundred and sixty-six.

SEC. 2345. The provisions of the preceding sections of this chapter shall not apply to the mineral lands situated in the states of Michigan, Wisconsin, and Minnesota, which are declared free and open to exploration and purchase according to legal subdivisions, in like manner as before the tenth day of May, eighteen hundred and seventy-two.

And any *bona fide* entries of such lands within the states named since the tenth of May, eighteen hundred and seventy-two, may be patented without reference to any of the foregoing provisions of this chapter. Such lands shall be offered for public sale in the same manner, at the same minimum price, and under the same rights of pre-emption as other public lands.

SEC. 2346. No act passed at the first session of the Thirty-eighth Congress granting lands to states or corporations to aid in the construction of roads, or for other purposes, or to extend the time of grants made prior to the thirtieth day of January, eighteen hundred and sixty-five, shall be so construed as to embrace mineral lands, which in all cases are reserved exclusively to the United States, unless otherwise specially provided in the act or acts making the grant.

TITLE LXXIV.—REPEAL PROVISIONS.

SEC. 5595. The foregoing seventy-three titles embrace the statutes of the United States, general and permanent in their nature, in force on the 1st day of December, one thousand eight hundred and seventy-three, as revised and consolidated by commissioners appointed under an act of Congress, and the same shall be designated and cited as The Revised Statutes of the United States.

SEC. 5596. All acts of Congress passed prior to said first day of December, one thousand eight hundred and seventy-three, any portion of which is embraced in any section of said revision, are hereby repealed, and the section applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in such revision having been repealed or superseded by subsequent acts, or not being general and permanent in their nature: *Provided*, That the incorporation into such revision of any general and permanent provision, taken from an act making appropriations, or from an act containing other provisions of a private, local, or temporary character, shall not repeal or in any way affect any appropriation, or any provision of a private, local, or temporary character, contained in any of said acts, but the same shall remain in force; and all acts of Congress passed prior to said last-named day, no part of which are embraced in said revision, shall not be affected or changed by its enactments.

SEC. 5597. The repeal of the several acts embraced in said revision shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal, but all rights and liabilities under said acts shall continue, and may be enforced in the same manner as if said repeal had not been made; nor shall said repeal in any manner affect the right to any office, or change the term or tenure thereof.

SEC. 5598. All offenses committed, and all penalties or forfeitures incurred, under any statute embraced in said revision prior to said repeal, may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made.

SEC. 5599. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in said revision and covered by said repeal, shall not be affected thereby; but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

SEC. 5600. The arrangement and classification of the several sections of the revision have been made for the purpose of a more convenient and orderly arrangement of the same, and therefore no inference or presumption of a legislative construction is to be drawn by reason of the title under which any particular section is placed.

SEC. 5601. The enactment of the said revision is not to affect or repeal any act of Congress passed since the 1st day of December, one thousand eight hundred and seventy-three, and all acts passed since that date are to have full effect as if passed after the enactment of this revision, and so far as such acts vary from, or conflict with, any provision contained in said revision, they are to have effect as subsequent statutes, and as repealing any portion of the revision inconsistent therewith.

Approved, June 22, 1874.

The following is an act of Congress approved June 6, 1874 (U. S. Stats., v. 18, p. 61):

AN ACT to amend the act entitled "An act to promote the development of the mining resources of the United States", passed May tenth, eighteen hundred and seventy-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the fifth section of the act entitled "An act to promote the development of the mining resources of the United States", passed May tenth, eighteen hundred and seventy-two, which requires expenditures of labor and improvements on claims located prior to the passage of said act, are hereby so amended that the time for the first annual expenditure on claims located prior to the passage of said act shall be extended to the first day of January, eighteen hundred and seventy-five.

The following is an act of Congress approved February 11, 1875 (U. S. Stats., v. 18, p. 315):

AN ACT to amend section two thousand three hundred and twenty-four of the Revised Statutes, relating to the development of the mining resources of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two thousand three hundred and twenty-four of the Revised Statutes be, and the same is hereby, amended so that where a person or company has or may run a tunnel for the purposes of developing a lode or lodes owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, whether located prior to or since the passage of said act, and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same as required by said act.

The following is an act of Congress approved May 5, 1876 (U. S. Stats., v. 19, p. 52):

AN ACT to exclude the states of Missouri and Kansas from the provisions of the act of Congress entitled "An act to promote the development of the mining resources of the United States", approved May tenth, eighteen hundred and seventy-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, within the states of Missouri and Kansas, deposits of coal, iron, lead, or other mineral be, and they are hereby, excluded from the operation of the act entitled "An act to promote the development of the mining resources of the United States", approved May tenth, eighteen hundred and seventy-two, and all lands in said states shall be subject to disposal as agricultural lands.

The following is an act of Congress approved January 22, 1880 (U. S. Stats., v. 21, p. 61):

AN ACT to amend sections twenty-three hundred and twenty-four and twenty-three hundred and twenty-five of the Revised Statutes of the United States concerning mineral lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-three hundred and twenty-five of the Revised Statutes of the United States be amended by adding thereto the following words: "*Provided*, That where the claimant for a patent is not a resident of or within the land district wherein the vein, lode, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent, where said agent is conversant with the facts sought to be established by said affidavits: *And provided*, That this section shall apply to all applications now pending for patents to mineral lands."

SEC. 2. That section twenty-three hundred and twenty-four of the Revised Statutes of the United States be amended by adding the following words: "*Provided*, That the period within which the work required to be done annually on all unpatented mineral claims shall commence on the first day of January succeeding the date of location of such claim, and this section shall apply to all claims located since the tenth day of May, anno Domini eighteen hundred and seventy-two."

The following is an act of Congress approved March 3, 1881 (U. S. Stats., v. 21, p. 505):

AN ACT to amend section twenty-three hundred and twenty-six of the Revised Statutes relating to suits at law affecting the title to mining-claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, in any action brought pursuant to section twenty-three hundred and twenty-six of the Revised Statutes, title to the ground in controversy shall not be established by either party, the jury shall so find, and judgment shall be entered according to the verdict. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the land-office, or be entitled to a patent for the ground in controversy, until he shall have perfected his title.

Official instructions to registers and receivers under above laws from Commissioner of the General Land-Office.

MINERAL LANDS OPEN TO EXPLORATION, OCCUPATION, AND PURCHASE.

1. It will be perceived that, by the foregoing provisions of law, the mineral lands in the public domain, surveyed or unsurveyed, are open to exploration, occupation, and purchase by all citizens of the United States and all those who have declared their intentions to become such.

STATUS OF LODE-CLAIMS LOCATED PRIOR TO MAY 10, 1872.

2. By an examination of the several sections of the Revised Statutes it will be seen that the *status* of lode-claims located *previous* to the 10th May, 1872, is not changed with regard to their *extent along the lode or width of surface.*

3. Mining rights acquired under such previous locations are, however, enlarged by said Revised Statutes in the following respect, viz: The locators of all such previously-taken veins or lodes, their heirs and assigns, so long as they comply with the laws of Congress, and with state, territorial, or local regulations not in conflict therewith, governing mining-claims, are invested with the exclusive possessory right of all the surface included within the lines of their locations, and of all veins, lodes, or ledges throughout their entire depth, the top or apex of which lies inside of such surface-lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of such locations at the surface, it being expressly provided, however, that the right of possession to such outside parts of said veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward, as aforesaid, through the end-lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of such veins, lodes, or ledges; no right being granted, however, to the claimant of such outside portion of a vein or ledge to enter upon the surface location of another claimant.

4. It is to be distinctly understood, however, that the law limits the possessory right to veins, lodes, or ledges, *other* than the one named in the original location, to such as were not *adversely claimed on May* 10, 1872, and that where such other vein or ledge was so adversely claimed at that date, the right of the party so adversely claiming is in no way impaired by the provisions of the Revised Statutes.

5. In order to hold the possessory title to a mining-claim located prior to May 10, 1872, and for which a patent has not been issued, the law requires that $10 shall be expended annually in labor or improvements on each claim of 100 *feet* on the course of the vein or lode until a patent shall have been issued therefor; but where a number of such claims are held in common upon the same vein or lode the aggregate expenditure that would be necessary to hold all the claims, at the rate of $10 per hundred feet, may be made upon any one claim; a failure to comply with this requirement in any one year subjecting the claim upon which such failure occurred to relocation by other parties, the same as if no previous location thereof had ever been made, unless the claimants under the original location shall have resumed work thereon after such failure and before such relocation. The first annual expenditure upon claims of this class should have been performed subsequent to May 10, 1872, and prior to January 1, 1875. From and after January 1, 1875, the required amount must be expended *annually* until patent issues. By decision of the honorable Secretary of the Interior, dated March 4, 1879, such annual expenditures are not required subsequent to entry, the date of issuing the patent certificate being the date contemplated by statute.

6. Upon the failure of any one of several co-owners of a vein, lode, or ledge, which has not been entered, to contribute his proportion of the expenditures necessary to hold the claim or claims so held in ownership in common, the co-owners who have performed the labor, or made the improvements, as required by said Revised Statutes, may, at the expiration of the year, give such delinquent co-owner personal notice in writing, or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days; and if, upon the expiration of ninety days after such notice in writing, or upon the expiration of one hundred and eighty days after the first newspaper publication of notice, the delinquent co-owner shall have failed to contribute his proportion to meet such expenditures or improvements, his interest in the claim by law passes to his co-owners who have made the expenditures or improvements as aforesaid. Where a claimant alleges ownership of a forfeited interest under the foregoing provision, the sworn statement of the publisher as to the facts of publication, giving dates and a printed copy of the notice published, should be furnished, and the claimant must swear that the delinquent co-owner failed to contribute his proper proportion within the period fixed by the statute.

PATENTS FOR VEINS OR LODES HERETOFORE ISSUED.

7. Rights under patents for veins or lodes heretofore granted under previous legislation of Congress are enlarged by the Revised Statutes so as to invest the patentee, his heirs or assigns, with title to all veins, lodes, or ledges, throughout their entire depth, the top or apex of which lies within the end and side boundary-lines of his claim on the surface, as patented, extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of the claim at the surface. The right of possession to such outside parts of such veins or ledges to be confined to such portions thereof as lie between vertical planes drawn downward through the end-lines of the claims at the surface, so continued in their own direction that such planes will intersect such exterior parts of such veins or ledges, it being expressly provided, however, that all veins, lodes, or ledges, the top or apex of which lies inside such surface locations, *other* than the one named in the patent, which were *adversely claimed on the* 10*th May*, 1872, are excluded from such conveyance by patent.

8. Applications for patents for mining-claims pending at the date of the act of May 10, 1872, may be prosecuted to final decision in the General Land-Office, and, where no adverse rights are affected thereby, patents will be issued in pursuance of the provisions of the Revised Statutes.

MANNER OF LOCATING CLAIMS ON VEINS OR LODES AFTER MAY 10, 1872.

9. From and after the 10th May, 1872, any person who is a citizen of the United States, or who has declared his intention to become a citizen, may locate, record, and hold a mining-claim of 1,500 *linear feet* along the course

of any mineral vein or lode subject to location; or an association of persons, severally qualified as above, may make joint location of such claim of 1,500 feet, but in no event can a location of a vein or lode made subsequent to May 10, 1872, exceed 1,500 feet along the course thereof, whatever may be the number of persons composing the association.

10. With regard to the extent of surface-ground adjoining a vein or lode, and claimed for the convenient working thereof, the Revised Statutes provide that the lateral extent of locations of veins or lodes made after May 10, 1872, shall in no case *exceed 300 feet on each side of the middle of the vein at the surface*, and that no such surface rights shall be limited by any mining regulations to less than 25 feet on each side of the middle of the vein at the surface, except where adverse rights existing on the 10th May, 1872, may render such limitation necessary; the end-lines of such claims to be in all cases parallel to each other. Said lateral measurements cannot extend beyond 300 feet on *either* side of the middle of the vein at the surface, or such distance as is allowed by local laws. For example: 400 feet cannot be taken on one side and 200 feet on the other. If, however, 300 feet on each side are allowed, and, by reason of prior claims, but 100 feet can be taken on one side, the locator will not be restricted to less than 300 feet on the other side; and when the locator does not determine by exploration *where* the middle of the vein at the surface is, his discovery shaft must be assumed to mark such point.

11. By the foregoing it will be perceived that no lode-claim located after the 10th May, 1872, can exceed a parallelogram 1,500 feet in length by 600 feet in width, but whether surface ground of that width can be taken depends upon the local regulations or state or territorial laws in force in the several mining districts; and that no such local regulations or state or territorial laws shall limit a vein or lode-claim to less than 1,500 feet along the course thereof, whether the location is made by one or more persons, nor can surface rights be limited to less than 50 feet in width, unless adverse claims existing on the 10th day of May, 1872, render such lateral limitation necessary.

12. It is provided by the Revised Statutes that the miners of each district may make rules and regulations not in conflict with the laws of the United States, or of the state or territory in which such districts are respectively situated, governing the location, manner of recording, and amount of work necessary to hold possession of a claim. They likewise require that the location shall be so distinctly marked on the ground that its boundaries may be readily traced. This is a very important matter, and locators cannot exercise too much care in defining their locations at the outset, inasmuch as the law requires that all records of mining locations made subsequent to May 10, 1872, shall contain the name or names of the locators, the date of the location, and such a *description of the claim or claims* located, by reference to some natural object or permanent monument, as will identify the claim.

13. The statutes provide that no lode-claim shall be recorded until after the discovery of a vein or lode within the limits of the claim located, the object of which provision is evidently to prevent the appropriation of presumed mineral ground for speculative purposes, to the exclusion of *bona fide* prospectors, before sufficient work has been done to determine whether a vein or lode really exists.

14. The claimant should, therefore, prior to locating his claim, unless the vein can be traced upon the surface, sink a shaft or run a tunnel or drift to a sufficient depth therein to discover and develop a mineral-bearing vein, lode, or crevice; should determine, if possible, the general course of such vein in either direction from the point of discovery, by which direction he will be governed in marking the boundaries of his claim on the surface. His location notice should give the course and distance, as nearly as practicable, from the discovery shaft on the claim to some permanent, well-known points or objects, such, for instance, as stone monuments, blazed trees, the confluence of streams, point of intersection of well-known gulches, ravines, or roads, prominent buttes, hills, etc., which may be in the immediate vicinity, and which will serve to perpetuate and fix the *locus* of the claim and render it susceptible of identification from the description thereof given in the record of locations in the district, and should be duly recorded.

15. In addition to the foregoing data, the claimant should state the names of adjoining claims, or, if none adjoin, the relative positions of the nearest claims; should drive a post or erect a monument of stones at each corner of his surface ground, and, at the point of discovery or discovery shaft, should fix a post, stake, or board, upon which should be designated the name of the lode, the name or names of the locators, the number of feet claimed, and in which direction from the point of discovery; it being essential that the location notice filed for record, in addition to the foregoing description, should state whether the entire claim of 1,500 feet is taken on one side of the point of discovery, or whether it is partly upon one and partly upon the other side thereof, and, in the latter case, how many feet are claimed upon each side of such discovery point.

16. Within a reasonable time, say twenty days after the location shall have been marked on the ground, or such time as is allowed by the local laws, notice thereof, accurately describing the claim in manner aforesaid, should be filed for record with the proper recorder of the district, who will thereupon issue the usual certificate of location.

17. In order to hold the possessory right to a location made since May 10, 1872, not less than $100 worth of labor must be performed or improvements made thereon annually until entry shall have been made. Under the provisions of the act of Congress approved January 22, 1880, the first annual expenditure becomes due, and must be performed during the calendar year succeeding that in which the location was made. Expenditure made or labor performed prior to the 1st day of January succeeding the date of location will not be considered as a part of, or applied upon, the first annual expenditure required by law. Failure to make the expenditure or perform the

labor required will subject the claim to relocation by any other party having the necessary qualifications, unless the original locator, his heirs, assigns, or legal representatives have resumed work thereon after such failure and before such relocation.

18. The expenditures required upon mining-claims may be made from the surface or in running a tunnel for the development of such claims, the act of February 11, 1875, providing that, where a person or company has or may run a tunnel for the purpose of developing a lode or lodes owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same.

19. The importance of attending to these details in the matter of location, labor, and expenditure will be the more readily perceived when it is understood that a failure to give the subject proper attention may invalidate the claim.

Official instructions.

TUNNEL RIGHTS.

20. Section 2323 provides that, where a tunnel is run for the development of a vein or lode or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within 3,000 feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins or lodes on the line of said tunnel.

21. The effect of this is simply to give the proprietors of a mining tunnel run in good faith the possessory right to 1,500 feet of any blind lodes cut, discovered, or intersected by such tunnel, which were not previously known to exist, within 3,000 feet from the face or point of commencement of such tunnel, and to prohibit other parties, after the commencement of the tunnel, from prospecting for and making locations of lodes on the *line thereof* and within said distance of 3,000 feet, unless such lodes appear upon the surface or were previously known to exist.

22. The term "face", as used in said section, is construed and held to mean the first working face formed in the tunnel, and to signify the point at which the tunnel actually enters cover, it being from this point that the 3,000 feet are to be counted, upon which prospecting is prohibited as aforesaid.

23. To avail themselves of the benefits of this provision of law, the proprietors of a mining tunnel will be required, at the time they enter cover as aforesaid, to give proper notice of their tunnel location by erecting a substantial post, board, or monument at the face or point of commencement thereof, upon which should be posted a good and sufficient notice, giving the names of the parties or company claiming the tunnel right; the actual or proposed course or direction of the tunnel; the height and width thereof, and the course and distance from such face or point of commencement to some permanent well-known objects in the vicinity by which to fix and determine the *locus*, in manner heretofore set forth, applicable to locations of veins or lodes, and at the time of posting such notice they shall, in order that miners or prospectors may be enabled to determine whether or not they are within the lines of the tunnel, establish the boundary-lines thereof, by stakes or monuments placed along such lines at proper intervals, to the terminus of the 3,000 feet from the face or point of commencement of the tunnel, and the lines so marked will define and govern as to the specific boundaries within which prospecting for lodes not previously known to exist is prohibited while work on the tunnel is being prosecuted with reasonable diligence.

24. At the time of posting notice and marking out the lines of the tunnel as aforesaid, a full and correct copy of such notice of location defining the tunnel-claim must be filed for record with the mining recorder of the district, to which notice must be attached the sworn statement or declaration of the owners, claimants, or projectors of such tunnel, setting forth the facts in the case; stating the amount expended by themselves and their predecessors in interest in prosecuting work thereon, the extent of the work performed, and that it is *bona fide* their intention to prosecute work on the tunnel so located and described with reasonable diligence for the development of a vein or lode, or for the discovery of mines, or both, as the case may be. This notice of location must be duly recorded, and, with the said sworn statement attached, kept on the recorder's files for future reference.

25. By a compliance with the foregoing much needless difficulty will be avoided, and the way for the adjustment of legal rights acquired in virtue of said section 2323 will be made much more easy and certain.

26. This office will take particular care that no improper advantage is taken of this provision of law by parties making or professing to make tunnel locations, ostensibly for the purposes named in the statute, but really for the purpose of monopolizing the lands lying in front of their tunnels, to the detriment of the mining interests and to the exclusion of *bona fide* prospectors or miners, but will hold such tunnel claimants to a strict compliance with the terms of the statutes; and a *reasonable diligence* on their part in prosecuting the work is one of the essential conditions of their implied contract. Negligence or want of due diligence will be construed as working a forfeiture of their right to all undiscovered veins on the line of such tunnel.

MANNER OF PROCEEDING TO OBTAIN GOVERNMENT TITLE TO VEIN OR LODE-CLAIMS.

27. By section 2325 authority is given for granting titles for mines by patent from the government to any person, association, or corporation having the necessary qualifications as to citizenship and holding the right of possession to a claim in compliance with law.

28. The claimant is required, in the first place, to have a correct survey of his claim made under authority of the surveyor-general of the state or territory in which the claim lies, such survey to show with accuracy the exterior surface-boundaries of the claim, which boundaries are required to be distinctly marked by monuments on the ground. Four plats and one copy of the original field-notes in each case will be prepared by the surveyor-general; one plat and the original field-notes to be retained in the office of the surveyor-general, one copy of the plat to be given the claimant for posting upon the claim, one plat and a copy of the field-notes to be given the claimant for filing with the proper register, to be finally transmitted by that officer, with other papers in the case, to this office, and one plat to be sent by the surveyor-general to the register of the proper land district, to be retained on his files for future reference.

29. The claimant is then required to post a copy of the plat of such survey in a conspicuous place upon the claim, together with notice of his intention to apply for a patent therefor, which notice will give the date of posting, the name of the claimant, the name of the claim, mine, or lode; the mining district and county; whether the location is of record, and, if so, where the record may be found; the number of feet claimed along the vein and the presumed direction thereof; the number of feet claimed on the lode in each direction from the point of discovery, or other well-defined place on the claim; the name or names of adjoining claimants on the same or other lodes; or, if none adjoin, the names of the nearest claims, etc.

30. After posting the said plat and notice upon the premises, the claimant will file, with the proper register and receiver, a copy of such plat, and the field-notes of survey of the claim, accompanied by the affidavit of at least two credible witnesses that such plat and notice are posted conspicuously upon the claim, giving the date and place of such posting, a copy of the *notice* so posted to be attached to, and form a part of, said affidavit.

31. Attached to the field-notes so filed must be the sworn statement of the claimant that he has the possessory right to the premises therein described, in virtue of a compliance by himself (and by his grantors, if he claims by purchase) with the mining rules, regulations, and customs of the mining district, state, or territory in which the claim lies, and with the mining laws of Congress; such sworn statement to narrate briefly, but as clearly as possible, the facts constituting such compliance, the origin of his possession, and the basis of his claim to a patent.

32. This affidavit should be supported by appropriate evidence from the mining recorder's office as to his possessory right, as follows, viz: Where he claims to be a locator, a full, true, and correct copy of such location should be furnished, as the same appears upon the mining records; such copy to be attested by the seal of the recorder, or, if he has no seal, then he should make oath to the same being correct, as shown by his records; where the applicant claims as a locator in company with others who have since conveyed their interests in the lode to him, a copy of the original record of location should be filed, together with an abstract of title from the proper recorder, under seal or oath as aforesaid, tracing the co-locator's possessory rights in the claim to such applicant for patent; where the applicant claims only as a purchaser for valuable consideration, a copy of the location record must be filed, under seal or upon oath as aforesaid, with an abstract of title certified as above by the proper recorder, tracing the right of possession by a continuous chain of conveyances from the original locators to the applicant, also certifying that no conveyances affecting the title to the claim in question appear of record in his office other than those set forth in the accompanying abstract.

33. In the event of the mining records in any case having been destroyed by fire or otherwise lost, affidavit of the fact should be made, and secondary evidence of possessory title will be received, which may consist of the affidavit of the claimant, supported by those of any other parties cognizant of the facts relative to his location, occupancy, possession, improvements, etc.; and in such case of lost records, any deeds, certificates of location or purchase, or other evidence which may be in the claimant's possession and tend to establish his claim should be filed.

34. Upon the receipt of these papers the register will, at the expense of the claimant (who must furnish the agreement of the publisher to hold applicant for patent alone responsible for charges of publication), publish a notice of such application for the period of sixty days, in a newspaper published nearest to the claim; and will post a copy of such notice in his office for the same period. In all cases sixty days must intervene between the first and the last insertion of the notice in such newspaper. When the notice is published in a *weekly* newspaper, ten consecutive insertions are necessary; when in a *daily* newspaper, the notice must appear in each issue for the required period.

35. The notices so published and posted must be as full and complete as possible, and embrace all the *data* given in the notice posted upon the claim.

36. Too much care cannot be exercised in the preparation of these notices, inasmuch as upon their accuracy and completeness will depend, in a great measure, the regularity and validity of the whole proceeding.

37. The claimant, either at the time of filing these papers with the register, or at any time during the sixty

days' publication, is required to file a certificate of the surveyor-general that not less than $500 worth of labor has been expended or improvements made upon the claim by the applicant or his grantors; that the plat filed by the claimant is correct; that the field-notes of the survey, as filed, furnish such an accurate description of the claim as will, if incorporated into a patent, serve to fully identify the premises, and that such reference is made therein to natural objects or permanent monuments as will perpetuate and fix the *locus* thereof.

38. It will be the more convenient way to have this certificate indorsed by the surveyor-general, both upon the plat and field-notes of the survey filed by the claimant as aforesaid.

39. After the sixty days' period of newspaper publication has expired, the claimant will file his affidavit showing that the plat and notice aforesaid remained conspicuously posted upon the claim sought to be patented during said sixty days' publication, giving the dates.

40. Upon the filing of this affidavit the register will, if no adverse claim was filed in his office during the period of publication, permit the claimant to pay for the land according to the area given in the plat and field-notes of survey aforesaid, at the rate of $5 for each acre and $5 for each fractional part of an acre, the receiver issuing the usual duplicate receipt therefor. The claimant will also make a sworn statement of all charges and fees paid by him for publication and surveys, together with all fees and money paid the register and receiver of the land-office; after which the whole matter will be forwarded to the Commissioner of the General Land-Office, and a patent issued thereon, if found regular.

41. In sending up the papers in the case the register must not omit certifying to the fact that the notice was posted in his office for the full period of sixty days, such certificate to state distinctly when such posting was done and how long continued.

42. The consecutive series of numbers of mineral entries must be continued, whether the same are of lode or placer-claims.

43. The surveyor-general must continue to designate all surveyed mineral claims as heretofore by a progressive series of numbers, beginning with lot No. 37 in each township; the claim to be so designated at date of filing the plat, field-notes, etc., in addition to the local designation of the claim; it being required in all cases that the plat and field-notes of the survey of a claim must, in addition to the reference to permanent objects in the neighborhood, describe the *locus* of the claim with reference to the lines of public surveys by a line connecting a corner of the claim with the nearest public corner of the United States surveys, unless such a claim be on unsurveyed lands at a remote distance from such public corner, in which latter case the reference by course and distance to permanent objects in the neighborhood will be a sufficient designation by which to fix the *locus* until the public surveys shall have been closed upon its boundaries.

ADVERSE CLAIMS.

44. Section 2326 provides for adverse claims, fixes the time within which they shall be filed to have legal effect, and prescribes the manner of their adjustment.

45. Said section requires that the adverse claim shall be filed during the period of publication of notice; that it must be on the oath of the adverse claimant; and that it must show the "*nature*", the "*boundaries*", and the "*extent*" of the adverse claim.

46. In order that this section of law may be properly carried into effect, the following is communicated for the information of all concerned:

47. An adverse mining-claim must be filed with the register of the same land-office with whom the application for patent was filed, or, in his absence, with the receiver, and within the sixty days' period of newspaper publication of notice.

48. The adverse notice must be duly sworn to by the person or persons making the same before an officer authorized to administer oaths within the land district, or before the register or receiver; it will fully set forth the nature and extent of the interference or conflict; whether the adverse party claims as a purchaser for valuable consideration or as a locator; if the former, a certified copy of the original location, the original conveyance, a duly-certified copy thereof, or an abstract of title from the office of the proper recorder should be furnished, or if the transaction was a mere verbal one, he will narrate the circumstances attending the purchase, the date thereof, and the amount paid, which facts should be supported by the affidavit of one or more witnesses, if any were present at the time, and if he claims as a locator he must file a duly-certified copy of the location from the office of the proper recorder.

49. In order that the "*boundaries*" and "*extent*" of the claim may be shown, it will be incumbent upon the adverse claimant to file a plat showing his entire claim, its relative situation or position with the one against which he claims, and the extent of the conflict. This plat must be made from an actual survey by a United States deputy surveyor, who will officially certify thereon to its correctness; and, in addition, there must be attached to such plat of survey a certificate or sworn statement by the surveyor as to the approximate value of the labor performed or improvements made upon the claim by the adverse party or his predecessors in interest, and the plat must indicate the position of any shafts, tunnels, or other improvements, if any such exist, upon the claim of the party opposing the application, and by which party said improvements were made.

50. Upon the foregoing being filed within the sixty days as aforesaid, the register, or, in his absence, the receiver, will give notice in writing to *both parties* to the contest that such adverse claim has been filed, informing them that the party who filed the adverse claim will be required, within thirty days from the date of such filing, to commence proceedings in a court of competent jurisdiction to determine the question of right of possession, and to prosecute the same with reasonable diligence to final judgment, and that, should such adverse claimant fail to do so, his adverse claim will be considered waived, and the application for patent be allowed to proceed upon its merits.

51. When an adverse claim is filed as aforesaid, the register or receiver will indorse upon the same the precise date of filing, and preserve a record of the date of notifications issued thereon; and thereafter all proceedings on the application for patent will be suspended, with the exception of the completion of the publication and posting of notices and plat, and the filing of the necessary proof thereof, until the controversy shall have been adjudicated in court, or the adverse claim waived or withdrawn.

52. The proceedings after rendition of judgment of the court in such case are so clearly defined by the act itself as to render it unnecessary to enlarge thereon in this place.

53. The proceedings to obtain patents for claims usually called placers, including all forms of deposit, are similar to the proceedings prescribed for obtaining patents for vein or lode-claims; but where said placer-claim shall be upon surveyed lands, and conform to legal subdivisions, no further survey or plat will be required, and all placer-mining claims located after May 10, 1872, shall conform as nearly as practicable with the United States system of public-land surveys and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer-claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands. But where such claims are located previous to the public surveys, and do not conform to legal subdivisions, survey, plat, and entry thereof may be made according to the boundaries thereof, provided the location is in all respects legal.

54. The proceedings for obtaining patents for veins or lodes having already been fully given, it will not be necessary to repeat them here; it being thought that careful attention thereto by applicants and the local officers will enable them to act understandingly in the matter and make such slight modifications in the notice, or otherwise, as may be necessary in view of the different nature of the two classes of claims, placer-claims being fixed, however, at $2 50 per acre or fractional part of an acre.

55. By section 2330 authority is given for the subdivision of forty-acre legal subdivisions into ten-acre lots, which is intended for the greater convenience of miners in segregating their claims, both from one another and from intervening agricultural lands.

56. It is held, therefore, that, under a proper construction of the law, these ten-acre lots in mining districts should be considered and dealt with, to all intents and purposes, as legal subdivisions, and that an applicant having a legal claim which conforms to one or more of these ten-acre lots, either adjoining or cornering, may make entry thereof, after the usual proceedings, without further survey or plat.

57. In cases of this kind, however, the notice given of the application must be very specific and accurate in description, and as the forty-acre tracts may be subdivided into ten-acre lots, either in the form of squares of ten by ten chains, or of parallelograms five by twenty chains, so long as the lines are parallel and at right angles with the lines of the public surveys, it will be necessary that the notice and application state specifically what ten-acre lots are sought to be patented, in addition to the other *data* required in the notice.

58. Where the ten-acre subdivision is in the form of a square it may be described, for instance, as the "S. E. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$", or if in the form of a parallelogram, as aforesaid, it may be described as the "W. $\frac{1}{2}$ of the W. $\frac{1}{2}$ of the S. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ (or the N. $\frac{1}{2}$ of the S. $\frac{1}{2}$ of the N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$) of section ———, township ———, range ———", as the case may be; but, in adddition to this description of the land, the notice must give all the other *data* that is required in a mineral application, by which parties may be put on inquiry as to the premises sought to be patented. The proof submitted with applications for claims of this kind must show clearly the character and the extent of the improvements upon the premises.

Inasmuch as the surveyor-general has no duty to perform in connection with the entry of a placer-claim of legal subdivisions, the proof of improvements must show their value to be not less than $500, and that they were made by the applicant for patent or his grantors.

59. Applicants for patent to a placer-claim, who are also in possession of a known vein or lode included therein, must state in their application that the placer includes such vein or lode. The published and posted notices must also include such statement; and the vein or lode must be surveyed and marked upon the plat; the field-notes and plat giving the area of the lode-claim or claims and the area of the placer separately. If veins or lodes lying within a placer location are owned by other parties, the fact should be distinctly stated in the application for patent and in all the notices. It should be remembered that an application which omits to include an application for a known vein or lode therein must be construed as a conclusive declaration that the applicant has no right of possession to the vein or lode. Where there is no known lode or vein, the fact must appear by the affidavit of claimant and one or more witnesses.

60. When an adverse claim is filed to a placer application, the proceedings are the same as in the case of vein or lode-claims already described.

QUANTITY OF PLACER GROUND SUBJECT TO LOCATION.

61. By section 2330 it is declared that no location of a placer-claim made after July 9, 1870, shall exceed 160 acres for any one person or association of persons, which location shall conform to the United States surveys.

62. Section 2331 provides that all placer-mining claims located after May 10, 1872, shall conform as nearly as practicable with the United States system of public surveys and the subdivisions of such surveys, and no such locations shall include more than 20 acres for each individual claimant.

63. The foregoing provisions of law are construed to mean that after the 9th day of July, 1870, no location of a placer-claim can be made to exceed 160 acres, whatever may be the number of locators associated together, or whatever the local regulations of the district may allow; and that from and after May 10, 1872, no location made by an individual can exceed 20 acres, and no location made by an association of individuals can exceed 160 acres, which location of 160 acres cannot be made by a less number than eight *bona fide* locators; and no local laws or mining regulations can restrict a placer location to less than 20 acres, although the locator is not compelled to take so much.

64. The regulations hereinbefore given as to the manner of marking locations on the ground, and placing the same on record, must be observed in the case of placer locations, so far as the same are applicable; the law requiring, however, that where placer-claims are upon *surveyed* public lands the locations must hereafter be made to conform to legal subdivisions thereof as near as practicable.

65. With regard to the proofs necessary to establish the possessory right to a placer-claim, section 2332 provides that "where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations for mining-claims of the state or territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this chapter, in the absence of any adverse claim".

66. This provision of law will greatly lessen the burden of proof, more especially in the case of old claims located many years since, the records of which, in many cases, have been destroyed by fire, or lost in other ways during the lapse of time, but concerning the possessory right to which all controversy or litigation has long been settled.

67. When an applicant desires to make his proof of possessory right in accordance with this provision of law, you will not require him to produce evidence of location, copies of conveyances, or abstracts of title, as in other cases, but will require him to furnish a duly-certified copy of the statute of limitations of mining-claims for the state or territory, together with his sworn statement, giving a clear and succinct narration of the facts as to the origin of his title, and likewise as to the continuation of his possession of the mining ground covered by his application; the area thereof, the nature and extent of the mining that has been done thereon; whether there has been any opposition to his possession, or litigation with regard to his claim, and, if so, when the same ceased; whether such cessation was caused by compromise or by judicial decree, and any additional facts within the claimant's knowledge having a direct bearing upon his possession and *bona fides* which he may desire to submit in support of his claim.

68. There should likewise be filed a certificate, under seal of the court having jurisdiction of mining cases within the judicial district embracing the claim, that no suit or action of any character whatever involving the right of possession to any portion of the claim applied for is pending, and that there has been no litigation before said court affecting the title to said claim, or any part thereof, for a period equal to the time fixed by the statute of limitations for mining-claims in the state or territory as aforesaid, other than that which has been finally decided in favor of the claimant.

69. The claimant should support his narrative of facts relative to his possession, occupancy, and improvements by corroborative testimony of any disinterested person or persons of credibility who may be cognizant of the facts in the case and are capable of testifying understandingly in the premises.

70. It will be to the advantage of claimants to make their proofs as full and complete as practicable.

MILL-SITES.

71. Section 2337 provides that "where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface-ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by this chapter for the superficies of the lode. The owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in this section".

72. To avail themselves of this provision of law, parties holding the possessory right to a vein or lode, and to a piece of non-mineral land not contiguous thereto, for mining or milling purposes, not exceeding the quantity allowed for such purpose by section 2337 United States Revised Statutes, or prior laws, under which the land was appropriated, the proprietors of such vein or lode may file, in the proper land-office, their application for a patent,

under oath, in manner already set forth herein, which application, together with the plat and field-notes, may include, embrace, and describe, in addition to the vein or lode, such non-contiguous mill-site, and after due proceedings as to notice, etc., a patent will be issued conveying the same as one claim.

73. In making the survey in a case of this kind, the lode-claim should be described in the plat and field-notes as "Lot No. 37, A", and the mill-site as "Lot No. 37, B", or whatever may be its appropriate numerical designation; the course and distance from a corner of the mill-site to a corner of the lode-claim to be invariably given in such plat and field-notes, and a copy of the plat and notice of application for patent must be conspicuously posted upon the mill-site, as well as upon the vein or lode, for the statutory period of sixty days. In making the entry no separate receipt or certificate need be issued for the mill-site, but the whole area of both lode and mill-site will be embraced in one entry, the price being $5 for each acre and fractional part of an acre embraced by such lode and mill-site claim.

74. In case the owner of a quartz-mill or reduction-works is not the owner or claimant of a vein or lode, the law permits him to make application therefor in the same manner prescribed herein for mining-claims, and after due notice and proceedings, in the absence of a valid adverse filing, to enter and receive a patent for his mill-site at said price per acre.

75. In every case there must be satisfactory proof that the land claimed as a mill-site is not mineral in character, which proof may, where the matter is unquestioned, consist of the sworn statement of the claimant, supported by that of one or more disinterested persons capable, from acquaintance with the land, to testify understandingly.

76. The law expressly limits mill-site locations made from and after its passage to *five acres.*

77. The registers and receivers will preserve an unbroken consecutive series of numbers for all mineral entries.

PROOF OF CITIZENSHIP OF MINING CLAIMANTS.

78. The proof necessary to establish the citizenship of applicants for mining patents must be made in the following manner: In case of an incorporated company, a certified copy of their charter or certificate of incorporation must be filed. In case of an association of persons unincorporated, the affidavit of their duly-authorized agent, made upon his own knowledge, or upon information and belief, setting forth the residence of each person forming such association, must be submitted. This affidavit must be accompanied by a power of attorney from the parties forming such association, authorizing the person who makes the affidavit of citizenship to act for them in the matter of their application for patent.

79. In case of an individual, or an association of individuals who do not appear by their duly-authorized agent, you will require the affidavit of each applicant, showing whether he is a native or naturalized citizen, when and where born, and his residence.

80. In case an applicant has declared his intention to become a citizen, or has been naturalized, his affidavit must show the date, place, and the court before which he declared his intention, or from which his certificate of citizenship issued, and present residence.

81. The affidavit of the claimant as to his citizenship may be taken before the register or receiver, or any other officer authorized to administer oaths within the land district. If citizenship is established by the testimony of disinterested persons, such testimony may be taken at any place before any person authorized to administer oaths, and whose official character is duly verified.

APPOINTMENT OF DEPUTY SURVEYORS OF MINING-CLAIMS—CHARGES FOR SURVEYS AND PUBLICATIONS—FEES OF REGISTERS AND RECEIVERS, ETC.

82. Section 2334 provides for the appointment of surveyors of mineral claims, authorizes the Commissioner of the General Land-Office to establish the rates to be charged for surveys and for newspaper publications, prescribes the fees allowed to the local officers for receiving and acting upon applications for mining patents and for adverse claims thereto, etc.

Under this authority of law the following rates have been established as the maximum charges for newspaper publications in mining cases:

(*a*) Where a daily newspaper is designated, the charge shall not exceed $7 for each ten lines of space occupied, and where a weekly newspaper is designated as the medium of publication, $5 for the same space will be allowed. Such charge shall be accepted as full payment for publication in each issue of the newspaper for the entire period required by law.

It is expected that these notices shall not be so abbreviated as to curtail the description essential to a perfect notice, and the said rates established upon the understanding that they are to be in the usual body-type used for advertisements.

(*b*) For the publication of citations in contests or hearings involving the character of lands, the charges shall not exceed $8 for five publications in weekly newspapers or $10 for publications in daily newspapers for thirty days.

83. The surveyors-general of the several districts will, in pursuance of said law, appoint in each land district as many *competent* deputies for the survey of mining-claims as may seek such appointment; it being distinctly

understood that all expenses of these notices and surveys are to be borne by the mining claimants and not by the United States; the system of making *deposits* for mineral surveys, as required by previous instructions, being hereby revoked as regards *field work;* the claimant having the option of employing *any* deputy surveyor within such district to do his work in the field.

84. With regard to the *platting* of the claim and other *office work* in the surveyor-general's office, that officer will make an estimate of the cost thereof, which amount the claimant will deposit with any assistant United States treasurer or designated depository, in favor of the United States treasurer, to be passed to the credit of the fund created by "individual depositors for surveys of the public lands", and file with the surveyor-general duplicate certificates of such deposit in the usual manner.

85. The surveyors-general will endeavor to appoint mineral deputy surveyors, so that one or more may be located in each mining district, for the greater convenience of miners.

86. The usual oaths will be required of these deputies and their assistants as to the correctness of each survey executed by them.

The duty of the deputy mineral surveyor ceases when he has executed the survey and returned the field-notes and preliminary plat thereof with his report to the surveyor-general. He will not be allowed to prepare for the mining claimant the papers in support of an application for patent, or otherwise perform the duties of an attorney before the land-office in connection with a mining-claim.

The surveyors-general and local land-officers are expected to report any infringement of this regulation to this office.

87. The law requires that each applicant shall file with the register and receiver a sworn statement of all charges and fees paid by him for publication of notice and for survey, together with all fees and money paid the register and receiver, which sworn statement is required to be transmitted to this office for the information of the Commissioner.

88. Should it appear that excessive or exorbitant charges have been made by any surveyor or any publisher, prompt action will be taken with the view of correcting the abuse.

89. The fees payable to the register and receiver for filing and acting upon applications for mineral-land patents are $5 to each officer, to be paid by the applicant for patent at the time of filing, and the like sum of $5 is payable to each officer by an adverse claimant at the time of filing his adverse claim.

90. All fees or charges under this law may be paid in United States currency.

91. The register and receiver will, at the close of each month, forward to this office an abstract of mining applications filed, and a register of receipts, accompanied with an abstract of mineral lands sold, and an abstract of adverse claims filed.

92. The fees and purchase money received by registers and receivers must be placed to the credit of the United States in the receiver's monthly and quarterly account, charging up in the disbursing account the sums to which the register and receiver may be respectively entitled as fees and commissions, with limitations in regard to the legal maximum.

HEARINGS TO ESTABLISH THE CHARACTER OF LANDS.

93. In every case where it becomes necessary under the law and existing instructions of this office that a hearing be held and testimony taken for the purpose of ascertaining the mineral or agricultural character of land, the local officers are directed to cause the evidence to be taken before a duly-qualified officer, whose office is located nearest the land in dispute, the distance to be computed by ordinary routes of travel.

Whenever the local office comes within this rule, the hearing will be held before the register and receiver.

It is intended to cause these hearings to be held, as far as practicable, in such manner as to afford the least inconvenience to persons interested. Should it appear, therefore, by written stipulation of all the parties that this purpose will best be subserved by the designation of any particular officer authorized to administer oaths within the land district in which the land in controversy is situated, the instructions herein may be departed from in accordance with such stipulation. Such deviation may also be allowed where the officer who would otherwise be designated is an interested party, or where, for other good reason, his selection would be improper.

When the evidence is taken before an officer other than the register and receiver, the record should be sealed up, the title of the case indorsed on the envelope, and the whole returned by mail or express to the register and receiver.

On the 27th April, 1880, in accordance with the directions of the Secretary of the Interior, this office revoked the withdrawals theretofore made, upon general information that vast tracts of public land were mineral in character, and instructed the local officers, in the absence of a specific allegation of the mineral character of land, to allow applications for agricultural entry thereof, upon due proof.

Hereafter the only tracts of public land that will be withheld from entry as agricultural land, on account of its mineral character, will be such as are returned by the surveyor-general as mineral; and even the presumption which is supported by such return may be overcome by testimony taken at a regular hearing.

94. Hearings to determine the character of land, as practically distinguished, are of two kinds:

1st. Where lands which are sought to be entered and patented as agricultural are alleged by affidavit to be mineral, or, when sought as mineral, their non-mineral character is alleged.

The proceedings relative to this class are in the nature of a contest between two or more known parties, and the testimony may be taken on personal notice of at least ten days, duly served on all parties, or, if they cannot be found, then by publication for thirty days in a newspaper of general circulation, to be designated by the register of the land-office as published nearest to the land in controversy. If publication is made in a weekly newspaper, the notice must be inserted in five consecutive weekly issues thereof.

2d. When lands are returned as mineral by the surveyor-general.

When such lands are sought to be entered as agricultural, notice must be given by publication for thirty days, as aforesaid.

95. All notices must describe the land, give the name and address of the claimant, the character of his claim, and the time, place, and purpose of the hearing.

Proof of service of notice, when personal, must consist of either acknowledgment of service indorsed on the citation (which is always desirable), or the affidavit of the party serving the same, giving date, place, and manner of service, indorsed as aforesaid.

Proof of publication must be the affidavit of the publisher of the newspaper, stating the period of publication, giving dates, stating whether in a daily or weekly issue, and a copy of the notice so published must be attached to, and form a part of, the affidavit.

Proof of posting on the claim must be made by the affidavits of two or more persons who state when and where the notice was posted; that it remained so posted during the prescribed period, giving dates, and a copy of the notice so posted must be attached to, and made a part of, the affidavits.

Proof of notice is indispensable to the regularity of proceedings, and must accompany the record in every case.

The expense of notice must in every case be paid by the parties thereto.

96. At the hearing there must be filed the affidavit of the publisher of the paper that the said notice was published for the required time, stating when and for how long such publication was made, a printed copy thereof to be attached and made a part of the affidavit.

97. At the hearing, the claimants and witnesses will be thoroughly examined with regard to the character of the land; whether the same has been thoroughly prospected; whether or not there exists within the tract or tracts claimed any lode or vein of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or other valuable deposit which has ever been claimed, located, recorded, or worked; whether such work is entirely abandoned, or whether occasionally resumed; if such lode does exist, by whom claimed, under what designation, and in which subdivision of the land it lies; whether any placer-mine or mines exist upon the land; if so, what is the character thereof—whether of the shallow-surface description, or of the deep cement, blue-lead, or gravel deposits; to what extent mining is carried on when water can be obtained, and what the facilities are for obtaining water for mining purposes; upon what particular ten-acre subdivisions mining has been done, and at what time the land was abandoned for mining purposes, if abandoned at all.

98. The testimony should also show the agricultural capacities of the land, what kind of crops are raised thereon, and the value thereof; the number of acres actually cultivated for crops of cereals or vegetables, and within which particular ten-acre subdivision such crops are raised; also which of these subdivisions embrace his improvements, giving in detail the extent and value of his improvements, such as house, barn, vineyard, orchard, fencing, etc.

99. It is thought that *bona fide* settlers upon lands really agricultural will be able to show, by a clear, logical, and succinct chain of evidence, that their claims are founded upon law and justice; while parties who have made little or no permanent agricultural improvements, and who only seek title for speculative purposes, on account of the mineral deposits known to themselves to be contained in the land, will be defeated in their intentions.

100. The testimony should be as full and complete as possible; and, in addition to the leading points indicated above, everything of importance bearing upon the question of the character of the land should be elicited at the hearing.

101. Where the testimony is taken before an officer who does not use a seal, other than the register and receiver, the official character of such officer must be attested by a clerk of a court of record, and the testimony transmitted to the register and receiver, who will thereupon examine and forward the same to this office, with their joint opinion as to the character of the land as shown by the testimony.

102. When the case comes before this office, such an award of the land will be made as the law and the facts may justify; and in cases where a survey is necessary to set apart the mineral from the agricultural land in any forty-acre tract, the necessary instructions will be issued to enable the agricultural claimant, *at his own expense*, to have the work done, at his option, either by United States deputy, county, or other local surveyor; the survey in such case may be executed in such manner as will segregate the portion of land actually containing the mine, and used as surface-ground for the convenient working thereof, from the remainder of the tract, which remainder will be patented to the agriculturist to whom the same may have been awarded, subject, however, to the condition that

the land may be entered upon by the proprietor of any vein or lode for which a patent has been issued by the United States, for the purpose of extracting and removing the ore from the same where found to penetrate or intersect the land so patented as agricultural, as stipulated by the mining act.

103. Such survey, when executed, must be properly sworn to by the surveyor, either before a notary public, officer of a court of record, or before the register or receiver, the deponent's character and credibility to be properly certified to by the officer administering the oath.

104. Upon the filing of the plat and field-notes of such survey, duly sworn to as aforesaid, you will transmit the same to the surveyor-general for his verification and approval; who, if he finds the work correctly performed, will properly mark out the same upon the original township plat in his office, and furnish authenticated copies of such plat and description both to the proper local land-office and to this office, to be affixed to the duplicate and, triplicate township plats respectively.

105. In cases where a portion of a forty-acre tract is awarded to an agricultural claimant, and he causes the segregation thereof from the mineral portion, as aforesaid, such agricultural portion will not be given a numerical designation, as in the case of surveyed mineral claims, but will simply be described as the "Fractional ——— quarter of the ——— quarter of section ———, in township ———, of range ———, meridian, containing ——— acres, the same being exclusive of the land adjudged to be mineral in said forty-acre tract".

106. The surveyor must correctly compute the area of such agricultural portion, which computation will be verified by the surveyor-general.

107. After the authenticated plat and field-notes of the survey have been received from the surveyor-general this office will issue the necessary order for the entry of the land, and in issuing the receiver's receipt and register's patent certificate you will invariably be governed by the description of the land given in the order from this office.

108. The fees for taking testimony and reducing the same to writing in these cases will have to be defrayed by the parties in interest. Where such testimony is taken before any other officer than the register and receiver, the register and receiver will be entitled to no fees.

109. If, upon a review of the testimony at this office, a ten-acre tract should be found to be properly mineral in character, that fact will be no bar to the execution of the settler's legal right to the remaining *non-mineral* portion of his claim, if contiguous.

110. No fear need be entertained that miners will be permitted to make entries of tracts ostensibly as mining-claims which are not mineral, simply for the purpose of obtaining possession and defrauding settlers out of their valuable agricultural improvements, it being almost an impossibility for such a fraud to be consummated under the laws and regulations applicable to obtaining patents for mining-claims.

111. The fact that a certain tract of land is decided upon testimony to be mineral in character is by no means equivalent to an award of the land to a miner. A miner is compelled by law to give sixty days' publication of notice, and posting of diagrams and notices, as a preliminary step; and then, before he can enter the land, he must show that the land yields mineral; that he is entitled to the possessory right thereto in virtue of compliance with local customs or rules of miners, or by virtue of the statute of limitations; that he or his grantors have expended, in actual labor and improvements, an amount of not less than five hundred dollars thereon, and that the claim is one in regard to which there is no controversy or opposing claim. After all these proofs are met, he is entitled to have a survey made at his own cost, where a survey is required, after which he can enter and pay for the land embraced by his claim.

112. Blank forms for proofs in mineral cases are not furnished by the General Land-Office.

AN ACT providing for the sale of saline lands. (Approved January 12, 1877. U. S. Stats., v. 19, p. 221.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall be made appear to the register and the receiver of any land-office of the United States that any lands within their district are saline in character, it shall be the duty of said register and said receiver, under the regulation of the General Land-Office, to take testimony in reference to such lands to ascertain their true character, and to report the same to the General Land-Office; and if, upon such testimony, the Commissioner of the General Land-Office shall find that such lands are saline, and incapable of being purchased under any of the laws of the United States relative to the public domain, then, and in such case, such lands shall be offered for sale by public auction at the local land-office of the district in which the same shall be situated, under such regulations as shall be prescribed by the Commissioner of the General Land-Office, and sold to the highest bidder for cash at a price not less than one dollar and twenty-five cents per acre; and in case said lands fail to sell when so offered, then the same shall be subject to private sale at such land-office, for cash, at a price not less than one dollar and twenty-five cents per acre, in the same manner as other lands of the United States are sold: *Provided*, That the foregoing enactments shall not apply to any state or territory which has not had a grant of salines by act of Congress, nor to any state which may have had such a grant, until either the grant has been fully satisfied, or the right of selection thereunder has expired by efflux of time. But nothing in this act shall authorize the sale or

conveyance of any title other than such as the United States has, and the patents issued shall be in the form of a release and quit-claim of all title of the United States in such lands.

SEC. 2. That all executive proclamations relating to the sales of public lands shall be published in only one newspaper, the same to be printed and published in the state or territory where the lands are situated, and to be designated by the Secretary of the Interior.

General Land-Office instructions under saline act.

The act of Congress of January 12, 1877 (copy above), provides a mode of proceeding by which public lands indicated, by the field-notes of survey or otherwise, to be *saline in character* may be rendered subject to disposal.

Should *prima-facie* evidence that certain tracts are saline in character be filed with the register and receiver of the proper land district, they will designate a time for a hearing at their office, and give notice to all parties in interest, in order that they may have ample opportunity to be present with their witnesses.

At the hearing the witnesses will be thoroughly examined with regard to the true character of the land, and whether the same contains any known mines of gold, silver, cinnabar, lead, tin, copper, or other valuable mineral deposit, or any deposit of coal.

The witnesses will also be examined in regard to the extent of the saline deposits upon the given tracts, and whether the same are claimed by any person; if so, the names of the claimants and the extent of their improvements must be shown.

The testimony should also show the agricultural capacities of the land, what kind of crops, if any, have been raised thereon, and the value thereof. The testimony should be as full and complete as possible, and, in addition to the leading points indicated above, everything of importance bearing upon the question of the character of the land should be elicited at the hearing.

The register and receiver will transmit the testimony to this office with their joint opinion thereon. When the case comes before this office, such a decision will be rendered in regard to the character of the land as the law and the facts may warrant.

Should the given tracts be adjudged agricultural, they will be subject to disposal as such. Should the tracts be adjudged *saline lands*, the register and receiver will be instructed to offer the same for sale, after public notice, at the local land-office of the district in which the same shall be situated, and to sell said tract or tracts to the highest bidder for cash, at a price not less than $1 25 per acre.

In case said lands fail to sell when so offered, the same will be subject to private sale at such land-office for cash, at a price not less than $1 25 per acre, in the same manner as other public lands are sold, and already indicated herein.

The provisions of this act do not apply to any lands within the territories, nor to any within the states of Mississippi, Louisiana, Florida, California, and Nevada, none of which have had a grant of salines by act of Congress.

[Circular.]

General Land-Office instructions, under acts approved June 3, 1878, for the sale of timber-lands and removal of timber from public lands.

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
Washington, D. C., August 15, 1878.

To REGISTERS AND RECEIVERS OF UNITED STATES LAND-OFFICES:

GENTLEMEN: The following is a review of the provisions of the act entitled "An act for the sale of timber-lands in the states of California, Oregon, Nevada, and in Washington territory", approved June 3, 1878, and of the act approved same date, entitled "An act authorizing the citizens of Colorado, Nevada, and the territories to fell and remove timber on the public domain for mining and domestic purposes", so far as they relate to the privilege of cutting and removing timber from the public lands of the United States, the punishment therefor, or to the protection of "timber and of the undergrowth" growing upon the public lands. Copies of these acts are annexed.

The fourth section of the first-mentioned act provides that "it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States, in said states and territory, or remove, or cause to be removed, any timber from said public lands, with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than one hundred nor more than one thousand dollars". Provision is also embraced in said section that "the penalties herein provided shall not take effect until ninety days after the passage of this act". This section also contains a proviso, as follows: "And nothing herein contained shall prevent any miner or agriculturist from clearing his land in the ordinary working of his mining-claim, or preparing his farm for tillage, or from taking the timber necessary

to support his improvements, or the taking of timber for the use of the United States." The penalty provided for in this section takes effect after the first day of September, 1878, and applies to cutting for any purpose other than that mentioned in this proviso, such as the wanton destruction of timber, or its removal for export or disposal.

In the states and territory mentioned the effort of the executive will, in the future, be directed to the proper punishment of parties who may cut for purposes not authorized by the statute under consideration, and to the prevention, so far as practicable, of further trespass against the general law.

The fifth section of the act provides "that any person prosecuted in said states and territory for violating section two thousand four hundred and sixty-one of the Revised Statutes of the United States, who is not prosecuted for cutting timber for export from the United States, may be relieved from further prosecution and liability therefor upon payment, into the court wherein said action is pending, of the sum of $2 50 per acre for all lands on which he shall have cut, or caused to be cut, timber, or removed, or caused to be removed, the same: *Provided*, That nothing contained in this section shall be construed as granting to the person hereby relieved the title to said lands for said payment; but he shall have the right to purchase the same upon the same terms and conditions as other persons, as provided hereinbefore in this act". This provision is applicable alike to cases pending at the time of the passage of the act, and to such cases as have been since or may hereafter be commenced.

Section 5 also contains provision that all moneys collected under this act shall be covered into the Treasury of the United States, and section 4751 of the Revised Statutes of the United States, which authorizes the penalties and forfeitures incurred under sections 2461 and 2462 of the Revised Statutes to be sued for, recovered, and accounted for, under the direction of the Secretary of the Navy, is repealed, so far as it relates to these states and territory.

By the provisions of the last-mentioned act "all citizens of the United States and other persons *bona fide* residents of the states of Colorado, Nevada, or either of the territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, and Montana, and all other mineral districts of the United States, are authorized and permitted to fell and remove, for building, agricultural, mining, or other domestic purposes, any timber or other trees growing or being upon the public lands, said lands being mineral and not subject to entry under the existing laws of the United States, except for mineral entry in either of said states, territories, or districts of which such citizens may be, at the time, *bona fide* residents, subject to such rules and regulations as the Secretary of the Interior may prescribe for protection of the timber, and of the undergrowth growing upon such lands, and for other purposes".

The first section contains a provision that this act shall not extend to railroad corporations. A copy of the rules and regulations prescribed by the Secretary of the Interior for the protection of the timber and the undergrowth growing upon the mineral lands of the United States, in compliance with this provision, is printed herewith. The second section of this act makes it the duty of the register and receiver of any local land-office, in whose district any mineral land may be situated, to ascertain from time to time whether any timber is being cut or used upon any of the mineral lands, except for the purposes authorized by this act, within their respective land districts; and, if so, they are required to notify the Commissioner of the General Land-Office of that fact.

These reports will be made by the registers and receivers separately from those relating to any other subject, and will give the details of any violation of the provisions of this act.

The registers and receivers are allowed all necessary expenses incurred in making such proper examinations in regard to violations of the provisions of this act, which will be paid and allowed them in making up their next quarterly accounts.

The third section provides that "any person or persons who shall violate the provisions of this act, or any rules and regulations in pursuance thereof made by the Secretary of the Interior, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding five hundred dollars, and to which may be added imprisonment for any term not exceeding six months".

When violations of the provisions of this act are brought to the attention of this office, either by report from the registers and receivers or by other persons who, as good citizens, may feel an interest in the protection of the public timber, if the facts are deemed sufficient to warrant prosecutions they will be brought to the attention of the Department of Justice, that instructions may be given to the proper district attorney to institute legal proceedings.

Rules and regulations prescribed by the Secretary of the Interior for the protection of the timber and of the undergrowth growing upon mineral lands of the United States, not subject to entry under existing laws of the United States, except for mineral entry, in the states of Colorado and Nevada, or in the territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, or Montana, and in all other mineral districts of the United States, in compliance with the provisions of an act, approved June 3, 1878, *entitled "An act authorizing the citizens of Colorado, Nevada, and the territories to fell and remove timber on the public domain for mining and domestic purposes".*

With the view to and the intention of preserving the young timber and undergrowth upon the mineral lands of the United States, and to the end that the mountain sides may not be left denuded and barren of the timber and undergrowth necessary to prevent the precipitation of the rainfall and melting snows in floods upon the fertile,

arable lands in the valleys below, thus destroying the agricultural and pasturage interests of the mineral and mountainous portions of the country, I do hereby make and cause to be promulgated, by virtue of the power vested in me by the act entitled "An act authorizing the citizens of Colorado, Nevada, and the territories (excepting Washington territory) to fell and remove timber on the public domain for mining and domestic purposes", the following rules and regulations:

1. Section 2461, Revised Statutes, is still in force in all of the states and territories named in the bill, and its provisions may be enforced, as heretofore, against persons trespassing upon any other than lands which are in fact mineral, or have been withdrawn as such; and in all cases where trespasses are committed upon the timber upon public lands which are not mineral, the trespassers will be prosecuted under said section.

2. It shall be unlawful for any person to cut or remove, or cause to be cut or removed, from any of the mineral lands of the United States, any timber or undergrowth, of any kind whatsoever, less than 8 inches in diameter, and any person so offending shall be liable to be fined, in compliance with the provisions of the third section of said act, in any sum not exceeding $500, and to which may be added imprisonment for any term not exceeding six months.

3. It shall be the duty of the register and receiver of each and every local land-office, in whose district any mineral land may be situated, to ascertain, by personal observation, or by sending persons to examine the same from time to time, whether any timber is being cut or used upon any such lands except for the purpose of building, or for agricultural, mining, or other domestic purposes, or whether any timber is cut in violation of these rules and regulations within their respective land districts; and if they shall ascertain that there is any such violation they shall immediately report the same to this office, giving in detail the facts, designating the location of the land, and, if surveyed, giving description by legal subdivisions, giving the names and residences of persons who have violated the provisions of the act above referred to, or the rules and regulations prescribed thereunder, and also the names and residences of witnesses by whom the facts of such violation can be proven.

4. All necessary expenses incurred by registers and receivers for traveling and other necessary expenses in making personal examination, or for the payment of the services and expenses of persons employed to make such examinations, will be paid and allowed to such registers and receivers in making up their next quarterly accounts after such expenses shall have been incurred.

Very respectfully,

J. A. WILLIAMSON,
Commissioner.

DEPARTMENT OF THE INTERIOR, *August* 16, 1878.

The foregoing is hereby approved.

C. SCHURZ,
Secretary.

AN ACT for the sale of timber-lands in the states of California, Oregon, Nevada, and in Washington territory. (Approved June 3, 1878. U. S. Stats., v. 20, p. 89.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That surveyed public lands of the United States within the states of California, Oregon, and Nevada, and in Washington territory, not included within military, Indian, or other reservations of the United States, valuable chiefly for timber, but unfit for cultivation, and which have not been offered at public sale according to law, may be sold to citizens of the United States, or persons who have declared their intention to become such, in quantities not exceeding one hundred and sixty acres to any one person or association of persons, at the minimum price of two dollars and fifty cents per acre; and lands valuable chiefly for stone may be sold on the same terms as timber lands: *Provided*, That nothing herein contained shall defeat or impair any *bona fide* claim under any law of the United States, or authorize the sale of any mining-claim, or the improvements of any *bona fide* settler, or lands containing gold, silver, cinnabar, copper, or coal, or lands selected by the said states under any law of the United States donating lands for internal improvements, education, or other purposes: *And provided further*, That none of the rights conferred by the act approved July twenty-sixth, eighteen hundred and sixty-six, entitled "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes", shall be abrogated by this act; and all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights, as may have been acquired under and by the provisions of said act; and such rights shall be expressly reserved in any patent issued under this act.

SEC. 2. That any person desiring to avail himself of the provisions of this act shall file with the register of the proper district a written statement in duplicate, one of which is to be transmitted to the General Land-Office, designating, by legal subdivisions, the particular tract of land he desires to purchase, setting forth that the same is unfit for cultivation, and valuable chiefly for its timber or stone; that it is uninhabited; contains no mining or other improvements, except for ditch or canal purposes, where any such do exist, save such as were made by or belong to the applicant, nor, as deponent verily believes, any valuable deposit of gold, silver, cinnabar, copper, or

coal; that deponent has made no other application under this act; that he does not apply to purchase the same on speculation, but in good faith to appropriate it to his own exclusive use and benefit; and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whatsoever, by which the title which he might acquire from the government of the United States should inure, in whole or in part, to the benefit of any person except himself; which statement must be verified by the oath of the applicant before the register or the receiver of the land-office within the district where the land is situated; and if any person taking such oath shall swear falsely in the premises, he shall be subject to all the pains and penalties of perjury, and shall forfeit the money which he may have paid for said lands, and all right and title to the same; and any grant or conveyance which he may have made, except in the hands of *bona fide* purchasers, shall be null and void.

SEC. 3. That upon the filing of said statement, as provided in the second section of this act, the register of the land-office shall post a notice of such application, embracing a description of the land by legal subdivisions, in his office, for a period of sixty days, and shall furnish the applicant a copy of the same for publication, at the expense of such applicant, in a newspaper published nearest the location of the premises, for a like period of time; and after the expiration of said sixty days, if no adverse claim shall have been filed, the person desiring to purchase shall furnish to the register of the land-office satisfactory evidence, first, that said notice of the application prepared by the register as aforesaid was duly published in a newspaper as herein required; secondly, that the land is of the character contemplated in this act, unoccupied and without improvements, other than those excepted, either mining or agricultural, and that it apparently contains no valuable deposits of gold, silver, cinnabar, copper, or coal; and upon payment to the proper officer of the purchase money of said land, together with the fees of the register and the receiver, as provided for in case of mining-claims in the twelfth section of the act approved May tenth, eighteen hundred and seventy-two, the applicant may be permitted to enter said tract, and, on the transmission to the General Land-Office of the papers and testimony in the case, a patent shall issue thereon: *Provided*, That any person having a valid claim to any portion of the land may object, in writing, to the issuance of a patent to lands so held by him, stating the nature of his claim thereto; and evidence shall be taken, and the merits of said objection shall be determined by the officers of the land-office, subject to appeal, as in other land cases. Effect shall be given to the foregoing provisions of this act by regulations to be prescribed by the Commissioner of the General Land-Office.

SEC. 4. That after the passage of this act it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States, in said states and territory, or remove, or cause to be removed, any timber from said public lands, with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; and any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than one hundred nor more than one thousand dollars: *Provided*, That nothing herein contained shall prevent any miner or agriculturist from clearing his land in the ordinary working of his mining-claim, or preparing his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States; and the penalties herein provided shall not take effect until ninety days after the passage of this act.

SEC. 5. That any person prosecuted in said states and territory for violating section two thousand four hundred and sixty-one of the Revised Statutes of the United States who is not prosecuted for cutting timber for export from the United States, may be relieved from further prosecution and liability therefor upon payment, into the court wherein said action is pending, of the sum of two dollars and fifty cents per acre for all lands on which he shall have cut or caused to be cut timber, or removed or caused to be removed the same: *Provided*, That nothing contained in this section shall be construed as granting to the person hereby relieved the title to said lands for said payment; but he shall have the right to purchase the same upon the same terms and conditions as other persons, as provided hereinbefore in this act: *And further provided*, That all moneys collected under this act shall be covered into the Treasury of the United States. And section four thousand seven hundred and fifty-one of the Revised Statutes is hereby repealed, so far as it relates to the states and territory herein named.

SEC. 6. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

AN ACT authorizing the citizens of Colorado, Nevada, and the territories to fell and remove timber on the public domain for mining and domestic purposes. (Approved June 3, 1878. U. S. Stats., v. 20, p. 88.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States and other persons, *bona fide* residents of the state of Colorado or Nevada, or either of the territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, or Montana, and all other mineral districts of the United States, shall be, and are hereby, authorized and permitted to fell and remove, for building, agricultural, mining, or other domestic purposes, any timber or other trees growing or being on the public lands, said lands being mineral, and not subject to entry under existing laws of the United States, except for mineral entry, in either of said states, territories, or districts of which such citizens or persons may be at the time *bona fide*

residents, subject to such rules and regulations as the Secretary of the Interior may prescribe for the protection of the timber and of the undergrowth growing upon such lands, and for other purposes: *Provided*, The provisions of this act shall not extend to railroad corporations.

SEC. 2. That it shall be the duty of the register and the receiver of any local land-office, in whose district any mineral land may be situated, to ascertain from time to time whether any timber is being cut or used upon any such lands, except for the purposes authorized by this act, within their respective land districts; and if so, they shall immediately notify the Commissioner of the General Land-Office of that fact; and all necessary expenses incurred in making such proper examinations shall be paid and allowed such register and receiver in making up their next quarterly accounts.

SEC. 3. Any person or persons who shall violate the provisions of this act, or any rules and regulations in pursuance thereof made by the Secretary of the Interior, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not exceeding five hundred dollars, and to which may be added imprisonment for any term not exceeding six months.

Supplemental official regulations under the two last-named acts.

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
Washington, D. C., June 30, 1882.

To REGISTERS AND RECEIVERS OF UNITED STATES LAND-OFFICES,
and to Special Timber Agents of the General Land-Office:

GENTLEMEN: The ruels and regulations heretofore prescribed by this department under act of Congress approved June 3, 1878, entitled "An act authorizing the citizens of Colorado, Nevada, and the territories to fell and remove timber from the public domain for mining and domestic purposes", are hereby modified as follows:

All citizens and *bona fide* residents of the states and territories mentioned therein are authorized to fell and remove, or employ others to fell and remove, or to purchase from others who fell and remove, any timber growing or being upon the public mineral lands in said states or territories: Provided—

1st. That the same is not for export from the state or territory where cut;

2d. That no timber less than 8 inches in diameter is cut or removed;

3d. That it is not wantonly wasted or destroyed.

The above regulations apply also to right-of-way railroad companies procuring timber for construction purposes from the public lands under the act of March 3, 1875.

Every right-of-way railroad company, however, obtaining public timber under said act, whether from lands mineral or non-mineral in character, must, in addition, observe the following regulations:

1st. The company must appoint some one or more persons as its agent or agents for the procurement of such material; such appointment must be in writing; a copy of the same must be filed in this office; and such person or persons so appointed must be borne upon the pay-rolls as employed by the company, in order to be regarded by this office as the agent or agents of the company.

2d. In the procurement of timber or other material for construction, each and every person employed by or under said company or its agents must also be borne upon the monthly pay-rolls of the company, and be paid as other regular employés of said company.

3d. No public timber is permitted to be taken or used in the *repair* or *improvement* of such road after the original construction of the same.

4th. No public timber is permitted to be taken and used as *fuel* by any railroad.

As the rules and regulations in relation to the cutting and removing of timber from the public mineral lands are modified as hereinbefore stated, all agents and officers of this department are hereby instructed that in reporting cases of alleged trespass they will be governed in their report, upon the mineral or non-mineral character of the land, by the following general rule:

Where the lands are situated in districts of country that are mountainous, interspersed with gulches and narrow valleys, and minerals are known to exist at different points therein, such lands, in the absence of proof to the contrary, will be held to be mineral in character; but where there are extensive valleys, plains, or mountain ranges, and no known minerals exist, the land may be considered and treated as non-mineral.

Said agents and officers are further instructed that hereafter, in forwarding reports in cases of timber trespass, a simple statement to the effect that the lands in question are mineral or non-mineral in character will not be regarded by this office as sufficient proof; evidence establishing that fact must in all cases accompany and form a part of said report.

In investigating cases of timber trespass in *mineral* districts, said agents and officers will be careful hereafter to report only those cases in which there has been a violation of the rules and regulations above specified.

All rules and regulations heretofore prescribed by this department in cases of timber trespass upon public lands *non*-mineral in character remain in force.

All rules and regulations or instructions heretofore prescribed under said act of June 3, 1878, by this department, inconsistent with the provisions contained in this circular, are hereby rescinded.

Very respectfully,

N. C. McFARLAND,
Commissioner.

Approved:

H. M. TELLER,
Secretary.

JULY 1, 1882.

TITLE XI.—CHAP. 1. (U. S. Rev. Stats., p. 74.)

SECTION 437. There shall be at the seat of government an executive department to be known as the Department of the Interior, and a Secretary of the Interior, who shall be the head thereof.

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CHAP. 2.

SEC. 441. The Secretary of the Interior is charged with the supervision of public business relating to the following subjects:

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Second. The public lands, including mines.

CHAP. 3.

SEC. 446. There shall be in the Department of the Interior a Commissioner of the General Land-Office, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be entitled to a salary of four thousand dollars a year.

SEC. 447. There shall be in the General Land-Office an officer called the recorder of the General Land-Office, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be entitled to a salary of two thousand dollars a year.

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SEC. 450. The President is authorized to appoint, from time to time, by and with the advice and consent of the Senate, a secretary, at a salary of one thousand five hundred dollars a year, whose duty it shall be, under the direction of the President, to sign, in his name, and for him, all patents for land sold or granted under the authority of the United States.

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SEC. 453. The Commissioner of the General Land-Office shall perform, under the direction of the Secretary of the Interior, all executive duties appertaining to the surveying and sale of the public lands of the United States, or in anywise respecting such public lands, and, also, such as relate to private claims of land, and the issuing of patents for all grants of land under the authority of the government.

SEC. 454. The Commissioner of the General Land-Office shall retain the charge of the seal heretofore adopted for the office, which may continue to be used, and of the records, books, papers, and other property appertaining to the office.

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SEC. 456. All returns relative to the public lands shall be made to the Commissioner of the General Land-Office.

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SEC. 458. All patents issuing from the General Land-Office shall be issued in the name of the United States, and be signed by the President, and countersigned by the recorder of the General Land-Office, and shall be recorded in the office, in books to be kept for the purpose.

SEC. 459. It shall be the duty of the recorder of the General Land-Office, in pursuance of instructions from the Commissioner, to certify and affix the seal of the office to all patents for public lands, and to attend to the correct engrossing, recording, and transmission of such patents. * * *

TITLE XXXII.—THE PUBLIC LANDS. (U. S. Rev. Stats., p. 388.)

CHAP. 1.—*Surveyors and deputy surveyors.*

SEC. 2207. There shall be appointed by the President, by and with the advice and consent of the Senate, a surveyor-general for the states and territories herein named, embracing, respectively, one surveying district, namely: Louisiana, Florida, Minnesota, Kansas,* California, Nevada, Oregon, Nebraska, and Iowa, Dakota, Colorado, New Mexico, Idaho, Washington, Montana, Utah, Wyoming, Arizona.

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*NOTE.—The office of surveyor-general of Kansas was abolished 30th September, 1876, by act of July 31, 1876. (Sundry civil appropriation act, U. S. Stats., v. 19, p. 121.)

SEC. 2223. Every surveyor-general shall engage a sufficient number of skillful surveyors as his deputies, to whom he is authorized to administer the necessary oaths upon their appointments. He shall have authority to frame regulations for their direction, not inconsistent with law or the instructions of the General Land-Office, and to remove them for negligence or misconduct in office.

CHAP. 2.—*Registers and receivers.*

SEC. 2234. There shall be appointed by the President, by and with the advice and consent of the Senate, a register of the land-office and a receiver of public moneys for each land district established by law.

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SEC. 2238. Registers and receivers, in addition to their salaries, shall be allowed each the following fees and commissions, namely:

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Ninth. A fee of five dollars for filing and acting upon each application for patent or adverse claim filed for mineral lands, to be paid by the respective parties.

Tenth. Registers and receivers are allowed, jointly, at the rate of fifteen cents per hundred words for testimony reduced by them to writing for claimants in establishing pre-emption and homestead rights.

Eleventh. A like fee as provided in the preceding subdivision, when such writing is done in the land-office, in establishing claims for mineral lands.

Twelfth. Registers and receivers in California, Oregon, Washington, Nevada, Colorado, Idaho, New Mexico, Arizona, Utah, Wyoming, and Montana are each entitled to collect and receive fifty per centum on the fees and commissions provided for in the first, third, and tenth subdivisions of this section.

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CHAP. 4.—*Pre-emptions.*

SEC. 2257. All lands belonging to the United States, to which the Indian title has been, or may hereafter be, extinguished, shall be subject to the right of pre-emption under the conditions, restrictions, and stipulations provided by law.

SEC. 2258. The following classes of lands, unless otherwise specially provided for by law, shall not be subject to the rights of pre-emption, to wit:

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Fourth. Lands on which are situated any known salines or mines.

CHAP. 5.—*Homesteads.*

SEC. 2289. Every person who is the head of a family, or who has arrived at the age of twenty-one years and is a citizen of the United States, or who has filed his declaration of intention to become such, as required by the naturalization laws, shall be entitled to enter one-quarter section or a less quantity of unappropriated public lands upon which such person may have filed a pre-emption claim, or which may, at the time the application is made, be subject to pre-emption. * * *

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CHAP. 8.—*Reservation and sale of town-sites on the public lands.*

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SEC. 2386. Where mineral veins are possessed, which possession is recognized by local authority, and to the extent so possessed and recognized, the title to town lots to be acquired shall be subject to such recognized possession and the necessary use thereof; but nothing contained in this section shall be so construed as to recognize any color of title in possessors for mining purposes as against the United States.

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SEC. 2392. No title shall be acquired under the foregoing provisions of this chapter to any mine of gold, silver, cinnabar, or copper; or to any valid mining-claim or possession held under existing laws.

CHAP. 9.—*Survey of the public lands.*

SEC. 2406. There shall be no further geological survey by the government, unless hereafter authorized by law. The public surveys shall extend over all mineral lands; and all subdividing of surveyed lands into lots less than one hundred and sixty acres may be done by county and local surveyors at the expense of claimants; but nothing in this section contained shall require the survey of waste or useless lands.

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CHAP. 11.—*The public lands.*

SEC. 2471. Every person who falsely makes, alters, forges, or counterfeits, or causes or procures to be falsely made, altered, forged, or counterfeited, or willingly aids and assists in the false making, altering, forging, or

counterfeiting any petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseño, map, expediente or part of an expediente, or any title-paper, or evidence of right, title, or claim to lands, mines, or minerals in California, or any instrument of writing whatever in relation to lands or mines or minerals in the state of California, for the purpose of setting up or establishing against the United States any claim, right, or title to lands, mines, or minerals within the state of California, or for the purpose of enabling any person to set up or establish any such claim; and every person who, for such purpose, utters or publishes as true and genuine any such false, forged, altered, or counterfeited petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseño, map, expediente or part of an expediente, title-paper, evidence of right, title, or claim to lands or mines or minerals in the state of California, or any instrument of writing whatever in relation to lands or mines or minerals in the state of California, shall be punishable by imprisonment at hard labor not less than three years and not more than ten years, and by a fine of not more than ten thousand dollars. (18 May, 1858, c. 40, s. 1, v. 11, p. 290.)

SEC. 2472. Every person who makes, or causes or procures to be made, or willingly aids and assists in making any falsely-dated petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseño, map, expediente or part of an expediente, or any title-paper, or written evidence of right, title, or claim, under Mexican authority, to any lands, mines, or minerals in the state of California, or any instrument of writing in relation to lands or mines or minerals in the state of California, having a false date, or falsely purporting to be made by any Mexican officer or authority prior to the seventh day of July, eighteen hundred and forty-six, for the purpose of setting up or establishing any claim against the United States to lands or mines or minerals within the state of California, or of enabling any person to set up or establish any such claim; and every person who signs his name as governor, secretary, or other public officer acting under Mexican authority, to any instrument of writing falsely purporting to be a grant, concession, or denouncement under Mexican authority, and during its existence in California, of lands, mines, or minerals, or falsely purporting to be an informe, report, record, confirmation, or other proceeding on an application for a grant, concession, or denouncement under Mexican authority, during its existence in California, of lands, mines, or minerals, shall be punishable as prescribed in the preceding section. (18 May, 1858, c. 40, s. 2, v. 11, p. 291.)

SEC. 2473. Every person who, for the purpose of setting up or establishing any claim against the United States to lands, mines, or minerals, within the state of California, presents, or causes, or procures to be presented, before any court, judge, commission, or commissioner, or other officer of the United States, any false, forged, altered, or counterfeited petition, certificate, order, report, decree, concession, denouncement, deed, patent, diseño, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim to lands, minerals, or mines in the state of California, knowing the same to be false, forged, altered, or counterfeited, or any falsely-dated petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseño, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim to lands, mines, or minerals in California, knowing the same to be falsely dated; and every person who prosecutes in any court of the United States, by appeal or otherwise, any claim against the United States for lands, mines, or minerals in California, which claim is founded upon, or evidenced by, any petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseño, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim, which has been forged, altered, counterfeited, or falsely dated, knowing the same to be forged, altered, counterfeited, or falsely dated, shall be punishable as prescribed in section twenty-four hundred and seventy-one.

TITLE XIII.—CHAP. 17.—THE JUDICIARY. (U. S. Rev. Stats., p. 172.)

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SECTION 910. No possessory action between persons in any court of the United States for the recovery of any mining title, or for damages to any such title, shall be affected by the fact that the paramount title to the land in which such mines lie is in the United States, but each case shall be adjudged by the law of possession.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes. (Approved June 19, 1878. U. S. Stats., v. 20, p. 178.)

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EXECUTIVE.

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And the duties prescribed by section of the Revised Statutes numbered four hundred and fifty shall devolve upon and be discharged by one of the executive clerks, to be designated by the President for that purpose.

CHAP. 182.

AN ACT making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes. (Approved March 3, 1879. U. S. Stats., v. 20, p. 394.)

GEOLOGICAL SURVEY.

For the salary of the director of the geological survey, which office is hereby established under the Interior Department, who shall be appointed by the President, by and with the advice and consent of the Senate, six thousand dollars: *Provided*, That this officer shall have the direction of the geological survey and the classification of the public lands and examination of the geological structure, mineral resources, and products of the national domain. And that the director and members of the geological survey shall have no personal or private interests in the lands or mineral wealth of the region under survey, and shall execute no surveys or examinations for private parties or corporations; and the geological and geographical survey of the territories, and the geographical and geological survey of the Rocky mountain region, under the Department of the Interior, and the geographical surveys west of the one hundredth meridian, under the War Department, are hereby discontinued, to take effect on the thirtieth day of June, eighteen hundred and seventy-nine. And all collections of rocks, minerals, soils, fossils, and objects of natural history, archæology, and ethnology made by the coast and interior survey, the geological survey, or by any other parties, for the government of the United States, when no longer needed for investigations in progress, shall be deposited in the National Museum.

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The publications of the geological survey shall consist of the annual report of operations, geological and economic maps illustrating the resources and classification of the lands, and reports upon general and economic geology and paleontology. The annual report of operations of the geological survey shall accompany the annual report of the Secretary of the Interior. All special memoirs and reports of said survey shall be issued in uniform quarto series if deemed necessary by the director, but otherwise in ordinary octavos. Three thousand copies of each shall be published for scientific exchanges, and for sale at the price of publication, and all literary and cartographic materials received in exchange, shall be the property of the United States and form a part of the library of the organization; and the money resulting from the sale of such publications shall be covered into the Treasury of the United States, under the direction of the Secretary of the Interior.

DEPARTMENT OF THE INTERIOR, GENERAL LAND-OFFICE,
Washington, D. C., May 9, 1882.

TO REGISTERS AND RECEIVERS, UNITED STATES DISTRICT LAND-OFFICES:

GENTLEMEN: Your attention is directed to the provisions of the following act of Congress, approved April 26, 1882:

AN ACT to amend section twenty-three hundred and twenty-six of the Revised Statutes, in regard to mineral lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse claim required by section twenty-three hundred and twenty-six of the Revised Statutes may be verified by the oath of any duly authorized agent or attorney-in-fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the district wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record of the United States or the state or territory where the adverse claimant may then be, or before any notary public of such state or territory.

SEC. 2. That applicants for mineral patents, if residing beyond the limits of the district wherein the claim is situated, may make any oath or affidavit required for proof of citizenship before the clerk of any court of record, or before any notary public of any state or territory.

1. It will be observed that the act is not retroactive, and hence cannot affect proceedings had prior to its approval; where citizenship, however, has not been proven, it may be established as provided by section 2 of this act.

2. Where an agent or attorney-in-fact verifies the adverse claim, he must distinctly swear that he is such agent or attorney, and accompany his affidavit by proof thereof.

3. The agent or attorney-in-fact must make the affidavit in verification of the adverse claim within the land district where the claim is situated.

Very respectfully,

N. C. McFARLAND,
Commissioner.

DEPARTMENT OF THE INTERIOR, *May* 26, 1882.

Approved:

H. M. TELLER,
Secretary.

Decision of July 6, 1882, by Secretary of the Interior, relative to town-sites and mineral locations on the same land.

RICO TOWN-SITE CASE.

1. The location of a mill-site claim upon the public land of the United States does not operate as an appropriation thereof so as to reserve it from town-site location.
2. Burden of proof rests with the protestants. They should *show* location, title, and compliance with law as regards both lode and mill-site, as would be required in a court of justice to establish such claim.
3. Town-sites may be located on mineral land. The question of the relative legal rights of the town-site and the mineral claimant as to occupation or possessory title to the surface must be left to courts of competent jurisdiction to settle.
4. The practice of the department of inserting in town-site and mineral-land patents mutual clauses of reservation adhered to.

DEPARTMENT OF THE INTERIOR,
Washington, July 6, 1882.

THE COMMISSIONER OF THE GENERAL LAND-OFFICE:

SIR: I have considered the case of the "Gulch", the "Independent", and the "Maid of Athens" Mill-sites *v.* The Town-site of Rico, in the Lake City land district, Colorado, on appeal by the latter from your decision of March 4, 1882, holding its entry for cancellation.

The mill-sites are separate and independent claims; but since all the protests filed by mill-site claimants against issuance of patent for the town-site involve the same questions, they are considered as one case. They were located, respectively, in April, May, and July, 1879, and the petition for incorporation of the town-site was filed in September following.

Your decision held that the land was non-mineral; that the mill-sites were duly located and recorded in connection with lode-claims by the proprietors thereof, whereby the land was legally appropriated; and hence that their prior location precluded location of the town-site.

I think this was erroneous.

Mill-sites are recognized by section 2337, Revised Statutes, where the land is non-mineral, and is used by the proprietor of a vein or lode, and may be included in an application for patent for such vein or lode, and be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; and, second, the owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in the section.

The present applications are by virtue of the first provision, under which there *can be no mill-site unless there is a lode or vein to which it may attach.* The mill-site claimants have not applied for a patent, and there is no evidence of a lode, vein, or claimants therefor, except as appears in the protest of the mill-site claimants against issue of patent to the town-site.

The protestants, seeking to have the mill-sites excluded from the entry of the town-site, must first establish a title to the mill-sites. To do this they must show that it is non-mineral in character. I do not think that this is done. On the contrary, it appears to be conclusively proven that such is not the character of the supposed mill-sites. It is within a mineral belt, and not less than sixteen lode-claims are marked on the map of the town. The proof is uncontradicted that mineral had been found within the town-site and on some portions of the mill-site. I do not think it worth while to discuss at length the character of the testimony on that point. The town-site entry had been made. The protestants said that it was in fraud of their rights. The burden of proof was then clearly on them, and they failed to show that the land was of such a character as authorized the location of it for mill-site purposes. But, in addition to having failed to show that the land might have been taken as a mill-site, they failed to show that they did so take in accordance with the law governing such location. It is true that the statute is silent as to the location of mill-sites; but it is not unreasonable to suppose such location must be made substantially as that of a mining-claim. Such mill-site location must be made by the owner or proprietor of a lode or a quartz-mill or reduction-works. The letter of the statute would seem to require that such mill-site ought to be used in connection with such lode for mining or milling purposes before a legal location can be made; it is not, however, necessary to determine that question in this case, for there is no proof that the protestants were the proprietors of any vein or lode. The protestants did introduce location certificates of lodes, and in connection with such lodes the mill-site locations; but there is no evidence that the lodes were taken in accordance with law; it does not appear that the locator complied with the local laws of the United States statutes concerning such location and the development of such lodes. Proof of location and compliance with law concerning such appropriation ought to be the same that would be required in a court of justice to establish a title to such lode-claim and mill-site; in this the protestants have signally failed. Much has been said with regard to the good faith of the protestants as to the location of the mill-sites, and it is charged that such location was not made for mill-site purposes, but to secure the same for town-site purposes. This, I think, is quite apparent from the evidence. Still, if there had been a strict compliance with the law in such location, I should not feel justified to reject the evidence of legal location on this ground alone. But such lack of faith may well be considered in determining whether the protestants ought to be further heard in support of their title. I think, as full opportunity was given to establish the

title, there ought to be no further delay in this matter, and the patent for the town-site ought to issue to the proper authorities, if their proceedings have been regular.

It has been urged that if this town-site is on mineral land the entry ought to be canceled. That a town-site may be located on mineral land cannot now be questioned. What are the rights of lot owners and mineral claimants within the boundaries of such town-site after entry is a somewhat difficult question. Section 2386 provides as follows:

> Where mineral veins are possessed, which possession is recognized by local authority, and to the extent so possessed and recognized, the title to town lots to be acquired shall be subject to such recognized possession and the necessary use thereof; but nothing contained in this section shall be so construed as to recognize any color of title in possessors for mining purposes as against the United States.

This section, taken in connection with section 2392, which is as follows, "No title shall be acquired under the foregoing provisions of this chapter to any mine of gold, silver, cinnabar, or copper, or to any valid mining-claim or possession held under existing laws," must protect the mineral claimant in his possession of the vein or lode, together with the surface as recognized by law. Such lots are declared to be taken burdened with the mineral claimant's rights. Now, what are the rights of the mineral claimant to the surface of the ground held in connection with his lode or mine? Section 2322 of the Revised Statutes contains the following:

> The locators of all mining locations heretofore made, or which shall hereafter be made, on any mineral vein, lode, or ledge situated on the public domain, their heirs or assigns, where no adverse claim exists on the tenth day of May, eighteen hundred and seventy-two, so long as they comply with the laws of the United States, and with state, territorial, and local regulations not in conflict with the laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which lies inside of such surface-lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of such surface locations.

It has been claimed that by virtue of this section the town-lot claimant, holding under a patent issued to the town, takes no title to the surface of a lode; but we must take all the provisions of the statute together. It is provided in section 2386 that the title to town lots to be acquired shall be subject to such recognized possession and the *necessary use thereof*. Now, what is the necessary use of such recognized possession? The town-site claimant takes it for building purposes; the mineral claimant for mining purposes. The mineral claimant may desire to use the ground for the purpose of sinking a shaft to his lode. He may want it for the erection of the buildings required in carrying on his mining enterprise, for reduction-works, or for a mill-site; if he does, the town-lot claimant's rights are subordinated to his. The *quasi* title of the lot owner must give way to the title of the mineral claimant in all such cases; that is, the "necessary use thereof" for mining purposes.

Whether the lot owner does take his lot subject to the rights of the mineral claimant as to surface must depend on priority of occupation. If a portion of the public lands have been settled upon and occupied by a town-site, such occupation is a lawful one. (Chapter 8, Revised Statutes of the United States.) It is not to be supposed that the recognized right of such lot owner is to be destroyed by the subsequent discovery of a mineral vein that may have its course through such lot. Large and flourishing towns have been built on the mineral lands of the United States, valuable buildings erected on such town lots, long before the entry of such town-sites. The rights of the occupants are fully recognized by the custom and usages of the country, as well as by the statute, and provision is made for the completion of the title by patent to the corporation authorities or to the county judge in trust for such lot owners. There ought to be no conflict between the lot owner and the mineral claimant whose vein enters a town-site; and the respective rights are clearly defined both by law and custom. If the mineral claimant is in possession of a mineral vein, his possession is recognized as a valid one to the full extent of his *possession* and the necessary use thereof. If at the time of taking of the town lots the mineral claimant's rights exist, the lot owner will take it subject to the rights of such mineral claimant, as before stated; and although the lot owner may hold his title under the corporation authorities or county judge, having received such patent, still the title of the mineral claimant is not different from what it was before the issue of such patent, and the question must still be determined, whether his title was acquired subsequently or previously to the inception of the lot owner's claim.

All such questions must be left to courts of competent jurisdiction to settle. This department cannot, in the nature of things, be called on to adjudicate such conflicting claims. Questions of priority of occupancy, as well as the question what is the necessary use of such surface by the mineral claimant, ought to be submitted to a jury of the neighborhood where such controversies arise; and such appears to have been the legislative intent with reference to all conflicting claims concerning mineral and town-site rights. It has been the custom in the department to insert in the town-site patents a clause reserving all the mineral and mineral rights to the government, or to the legal occupant thereof, as the case might be; and to insert in the mineral claimant's patent a reservation reserving all town-site rights. Whether the language employed heretofore is the most exact that might have been employed I do not consider of any importance, for the legal effect of the patent is the same with or without the reservation.

The statute defines and determines the rights of the different claimants; and if the patent contains a reservation broader than that of the statute, it is a nullity so far as it exceeds the statutory restriction; and if it contains a reservation not authorized by law, such reservation is a nullity. (See Stark *v.* Starrs, 6 Wallace, 402.)

The custom of inserting such reservation in the patent has the sanction of long practice, as well as the approval of the courts, and is in the interest of peace and good order, and ought not now to be departed from; therefore, the patent in this, and all other cases of like character, will be issued with the usual reservation; and should the owners of the mineral veins within the town-site make application for patent to such mineral veins, they will receive patents therefor, with the proper and usual reservation as to the rights of the lot owners within such town-site.

For these reasons your decision is reversed, and the entry of the town-site will remain intact.

The papers transmitted with your letter of May 10, 1882, are herewith returned.

Very respectfully,

H. M. TELLER,
Secretary.

STATE AND TERRITORIAL MINING LAWS.

ARIZONA.

COMPILED LAWS: 1864–1877.

CHAP. L.—ACTS RELATING TO MINES.

AN ACT allowing persons in the military service of the United States and of this territory to hold mining-claims. (Approved November 9, 1864, p. 511.)

SECTION 1. All persons in the military service of the United States or this territory shall be allowed to locate claims on mineral lodes or veins in the limits of this territory, subject to the requirements of the mining laws of this territory, and shall be protected in the possession of the same, and shall have the same rights in all respects, in regard to such claims, as like persons not in the military service.

SEC. 2. All the laws of any mining district contrary to the spirit and provisions of this act are declared to be null and void, and shall not be evidence in any court having jurisdiction of mining suits in this territory.

SEC. 3. This act shall take effect and be in force from and after its passage.

AN ACT of placer-mines and mining. (Approved December 30, 1865, p. 511.)

SECTION 1. It shall be lawful for any person, company, or association, who shall place upon the mineral lands of this territory, commonly called placer-mining grounds, a pump or pumps having a capacity sufficient to raise at least one hundred gallons of water per minute, with an engine or other power attached thereto, of sufficient power to work the same, with the *bona fide* intention of working the said placer grounds for the purpose of extracting the gold therefrom, to locate an amount of said placer grounds equal in extent to one-quarter section, in such form and direction as he or they may elect: *Provided*, That said location shall in no case be more than one mile in length nor less than one-quarter of a mile in width: *And provided*, That said machinery shall be used at least three months in each year for raising water to extract the gold from said grounds, and the presence of said machinery upon said grounds shall be the only evidence of title to said grounds; but in no case shall this act be so construed as to mean placer grounds which can be worked by water brought in ditches or flumes from any stream or other deposit of water; and said locations shall not in any case be made upon any grounds in the possession of any miner or miners at the time of location.

SEC. 2. This act shall only apply to the county of Yuma.

AN ACT providing for the location and registration of mines and mineral deposits, and for other purposes. (Approved November 5, 1866, p. 512.)

SECTION 1. The mining districts heretofore created in the several counties of this territory are hereby authorized and empowered to make all necessary rules and regulations for the location, registry, and working of mines therein: *Provided*, That all locations and registrations of mines and mineral deposits hereafter made in any of the said districts shall be transmitted to the county recorder for record, within sixty days after the same shall have been located.

SEC. 2. The county recorders of the several counties are authorized and required to procure suitable books, in which the records of all mines and mineral deposits shall be kept, which said books shall be paid for out of the county treasury, and they shall receive for their services herein the following fees: For recording and indexing each claim, not exceeding one folio, one dollar; and for each additional folio, twenty cents.

SEC. 3. Nothing in this act shall be so construed as to affect the claims to mines and mineral deposits heretofore located and duly recorded.

SEC. 4. The claim of the territory to all mining-claims heretofore located is hereby abandoned, and the same are hereby declared open to relocation and registry: *Provided*, That nothing herein contained shall be so construed as to affect mining-claims heretofore sold and disposed of by the territory.

SEC. 5. Nothing in this act shall be construed to apply to placer-mines or mining, or other mineral deposits other than those commonly called veins or lode-mines.

SEC. 6. Chapter fifty of the Howell Code, entitled "Of the registry and government of mines and mineral deposits", as well as all other acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after the first day of January, A. D. eighteen hundred and sixty-seven.

AN ACT to provide for the segregation of mining-claims. (Approved September 30, 1867, p. 513.)

SECTION 1. That whenever any one or more joint owners or tenants in common of gold, silver, copper, or mineral-bearing ledges or claims may desire to work or develop such ledges or claims, and any other owner or owners thereof shall fail or refuse to join in said work, after due notice of at least thirty days, given by publication in one newspaper printed in the county in which said ledges or claims are located, and if none be printed in said county, then in any newspaper printed in the territory, said notice to have publication in four successive weeks of said paper, said other owner or owners may, upon application to the district court of the district wherein the ledge or claim is situated, cause the interests of said parties so refusing to be set off or segregated, as hereinafter set forth.

SEC. 2. The owner or owners of any mineral-bearing ledge or claim, after the expiration of said thirty days' notice having been given, may, if the party or parties notified fail or refuse to join in the working or developing said ledge or claim, apply to the district court of the district wherein the ledge or claim may be situated for a partition or segregation of the interest or interests of the party or parties so failing or refusing to join.

SEC. 3. The party or parties so applying shall set forth the fact that the said parties have been duly notified in accordance with section one of this act, and that said party or parties have failed or refused to join in said work, all of which shall be sustained by the oath or affirmation of one or more of the parties applying; and, upon such application being made, the clerk of the said court shall post a notice at the office of the county recorder, and in two other conspicuous places within the district, stating the application, and notifying the parties interested that unless they appear within sixty days and show good cause why the prayer of the petitioner should not be granted, that the same will be granted if good cause can be shown.

SEC. 4. At the expiration of said sixty days, if the party or parties notified do not appear and show good cause why the prayer of the petitioner should not be granted, the court shall appoint two commissioners to go upon the ground and segregate the claims of the parties refusing to join; and, in case they do not agree, they to choose a third party; and said commissioners shall make a report in writing to said court, who shall issue a decree in conformity with said report, which shall be final, except appeal be taken to the Supreme Court within thirty days after issuance thereof.

SEC. 5. The provisions of this act shall not apply to the counties of Yavapai and Pima, and the county of Yuma.

SEC. 6. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 7. This act to take effect and be in force from and after its passage.

CHAP. XXXV.—OF THE LIMITATIONS OF ACTIONS.

AN ACT supplementary to Chapter XXXV, Howell Code, "Of the limitation of actions." (Approved November 5, 1866, p. 360.)

SECTION 1. No action for the recovery of property in mining-claims, or for the recovery of possession thereof, shall be maintained unless it appear that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the premises in question within two years before the commencement of the action.

SEC. 2. No cause of action or defense to an action founded upon the title to property in mining-claims, or to the rents or profits out of the same, shall be effectual unless it appear that the person prosecuting the action or making the defense, or under whose title the action is prosecuted or the defense is made, or the ancestor, predecessor, or grantor of such person, was seized or possessed of the premises in question within two years before the commencement of the act in respect to which such action is prosecuted or defense made.

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

PART III.—OF DISTRICT COURTS.

CHAP. XLV.—OF COURTS OF JUSTICE IN GENERAL AND THEIR JURISDICTION.

AN ACT conferring jurisdiction of all mining cases on the district court. (Approved December 30, 1865, p. 398.)

SECTION 1. The district courts of said territory shall have exclusive original jurisdiction of all suits and proceedings relating to mines and mineral and auxiliary lands, and the registry and denouncement of the same,

and all the jurisdiction, power, and authority conferred upon the probate courts and probate judges by chapter fifty of the Howell Code, entitled "Of the registry and government of mines and mineral deposits", or otherwise, are hereby conferred upon the district courts and district judges respectively.

SEC. 2. That section two of title one of said chapter is hereby repealed, and also all the other provisions of said chapter conferring jurisdiction upon the probate courts and probate judges over suits and proceedings relating to mines, mineral and auxiliary lands, as well as other acts and parts of acts inconsistent with the provisions of this act.

SEC. 3. All suits and other proceedings in said probate courts, now pending therein, and over which said probate courts have jurisdiction, are hereby transferred to, and shall be continued in, the district court of the county in which said suits and proceedings are now pending.

SEC. 4. The clerks of the probate courts shall, within thirty days after the publication of this act, transfer to and file in the office of the district courts of their respective counties, all records and papers in suits and proceedings relating to mines, mineral and auxiliary lands, which records and papers shall be kept and filed by the clerks of said district courts, and when so transferred and filed said suits and proceedings shall be proceeded with as though commenced in said district courts: *Provided*, That in counties where there shall be no clerks of the district courts, the records and papers shall be transferred and filed, as aforesaid, within thirty days after the appointment of said clerks and their acceptance thereof.

SEC. 5. This act shall take effect and be in force from and after its passage.

CHAP. XXVII.

AN ACT for securing liens to mechanics, laborers, and others. (Approved December 30, 1865, p. 247.)

SECTION 1. All artisans, builders, mechanics, lumber-merchants, and all other persons performing labor or furnishing material for the construction or repairing of any building, wharf, or other superstructure, or for work done upon any lode or mining-claim, shall have a lien on such building, wharf, superstructure, lode, or mining-claim for the labor done or material furnished by each respectively.

SEC. 2. Every person wishing to avail himself of the benefits of this act shall file in the recorder's office of the county in which such building, wharf, superstructure, lode, or mining-claim is situated, within ninety days after the completion of such building, wharf, or superstructure, or after such labor has been performed, a just and true account of the demand due him, after deducting all proper credits and assets, and shall verify said account by his own oath, or the oath of some other person, and shall also file, at the same time, a correct description of the property to be charged with such lien. If such lien is claimed by a subcontractor, journeyman, or other person performing labor or furnishing materials, the account aforesaid shall be filed within six days after the work was done or materials were furnished by him, and within five days after filing such account, as aforesaid, he shall serve a copy thereof on the owner or owners of such building, wharf, superstructure, or mining-claim, or the agent of such owners if the latter reside out of the county in which such building, wharf, or superstructure, or other improvements are situated. If such owner does not reside within the county, and has no agent therein, service of the copy aforesaid may be made by posting the same in a conspicuous place on the building, wharf, superstructure, or other work to be charged with such lien.

SEC. 3. On being served with a notice by a subcontractor, as provided in the last preceding section, the owner of such building, wharf, superstructure, or other work shall withhold from the contractor, out of the first money due to him under the contract, a sufficient sum to cover the lien claimed by such subcontractor, journeyman, or other person performing labor or furnishing materials, until the validity thereof shall be ascertained by a proper legal proceeding, if the same be contested, and, if so established, the amount thereof shall be a valid offset to its extent in favor of the owner against the contractor. But no attachment served on the funds in the hands of the owner of such building, wharf, superstructure, or other work, for claims other than those expressed in this act, shall lie against the liens created by this act, nor shall the owners be held or legally bound to answer such attachment until all claims under the contract or liens by this act shall be first satisfied.

NOTE.—The act further provides that the land on which any building shall be erected is subject to the lien; that the account required by section 2 (1477) shall specify the intention to claim a lien, and that it shall be recorded; that no lien shall bind any building, etc., longer than six months after filing, unless suit be brought, or if a credit be given, six months after expiration of the credit, and to the enforcement of the lien, etc. It is not essential to the purpose of this quotation that the full text be given.

CHAP. LI.

AN ACT in relation to general incorporations. (Approved November 6, 1866, p. 514.)

SECTION 1. Whenever three or more persons shall desire to incorporate themselves for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, they may do so in the manner provided in this act.

SEC. 2. Such persons shall make and subscribe written articles of incorporation in triplicate, and acknowledge

the same before any officer authorized to take the acknowledgment of a deed, and file one of such articles in the office of the secretary of the territory, another with the county recorder, where the enterprise, business, pursuit, or occupation is proposed to be carried on, or the principal office or place of business is proposed to be located, and retain the third in the possession of the corporation.

SEC. 3. The articles of incorporation, or a certified copy of the one filed with the secretary of the territory or the county recorder, is evidence of the existence of such corporation.

SEC. 4. The articles of incorporation shall specify: First, The name assumed by the corporation, and by which it shall be known, and the duration of the corporation. Second. The enterprise, business, pursuit, or occupation in which the corporation proposes to engage. Third. The place where the corporation proposes to have its principal office or place of business. Fourth. The amount of the capital stock of the corporation. Fifth. The amount of each share of such capital stock. Sixth. If the corporation is formed for the purpose of navigating any stream or other water, or making or constructing any railroad, macadamized road, plank road, clay road, canal, or bridge, the termini of such navigation, road, canal, or the site of such bridge, or for the purpose of mining and milling.

SEC. 5. Upon the making and filing of the articles of incorporation as herein provided, the persons subscribing the same are corporators, and authorized to carry into effect the object specified in the articles, in the manner provided in this act; and they and their successors, associates, and assigns, by the name assumed in such articles, shall thereafter be deemed a body corporate, with power:

First. To sue and be sued.

Second. To contract and be contracted with.

Third. To have and use a corporate seal, and the same to alter at pleasure.

Fourth. To purchase, possess, and dispose of such real and personal property as may be necessary and convenient to carry into effect the object of the incorporation.

Fifth. To appoint such subordinate officers and agents as the business of the corporation may require, and prescribe their duties and compensation.

Sixth. To make by-laws, not inconsistent with any existing laws, for the sale of any portion of its stock for delinquent or unpaid assessments due thereon, which sale may be made without judgment or execution: *Provided*, That no such sale shall be made without thirty days' notice of time and place of sale, in some newspaper published in the county, if there be any newspaper published in said county, if not, then in some newspaper published nearest to the place of business of such company, within the territory, for the transfer of its stock, for the management of its property, and for the general regulation of its affairs.

SEC. 6. The corporators, or any portion of them designated by a majority of the whole number, are authorized to open books and receive subscriptions to the capital stock of the corporation, and, as soon as such capital stock has been subscribed, they shall give notice to the subscribers to meet at such time and place as they may designate, for the purpose of electing not less than three nor more than seven directors, as the stockholders present shall determine: *Provided*, That it shall be lawful, in the organization of any corporation proposing to construct more than ten miles of railroad, to elect a board of directors as soon as one-half of the capital stock has been subscribed.

SEC. 7. The corporators present at such meetings shall be inspectors of the election and certify who are elected directors, and appoint the time and place of their first meeting; and each stockholder who shall attend in person, or by proxy appointed by writing, and subscribed by such stockholder, shall be entitled to one vote for each share of capital stock subscribed by him; but, after such first election of the directors, no person shall vote on any share upon which any installment or portion thereof is then due and unpaid.

SEC. 8. No person is eligible to the office of director unless he is a stockholder in the corporation and resident of the territory, or represented by a duly-authorized agent; and a director, ceasing to be such stockholder or represented by such duly-authorized agent, ceases to be a director: *Provided*, That corporations constructing railroads in this territory may permit a minority of the board of directors to reside out of this territory. Before entering upon the discharge of their duties the directors shall each take and subscribe an oath to faithfully and honestly discharge such duties.

SEC. 9. The directors, when elected and qualified, at the first meeting thereafter shall elect one of their number president, who shall preside at their meetings and perform such other special duties as the directors may authorize, and at the same time shall appoint a secretary, whose duty it shall be to keep a fair and correct record of all the official business of the corporation; from the first meeting of the directors, the powers vested in the corporation are exercised by them or by their officers or agents under their direction, except as otherwise specially provided in this act.

SEC. 10. The notice of the time and place of the first meeting of the stockholders for the election of directors shall be given by publication of the same, for thirty days before such meeting, in some newspaper published at least once every two weeks in the county where the meeting is to be held, or in some newspaper published in like manner and in general circulation therein: *Provided*, That nothing herein contained shall be construed to prevent such stockholders from holding such meetings for the election of directors before the expiration of thirty days after such stock is subscribed, and without the publication of the notice above referred to: *Provided further*, That all

such stockholders shall be present at such meetings, or consent thereto in writing, which consent shall be filed with the secretary of such company. All notices of subsequent meetings of stockholders or directors shall be given for such time and in such manner as the directors may prescribe.

SEC. 11. There shall be an annual election of directors, and, at each election after the first, the president of the corporation shall act as inspector of election, and certify who are elected directors; the directors chosen shall hold their office for one year thereafter, and until their successors are elected and qualified; the powers vested in the directors may be exercised by a majority of them.

SEC. 12. Every corporation organized under this act shall keep a stock-book in such manner as to show intelligibly the original stockholders, their respective shares, the amount paid and the amount due thereon, if any, and all transfers thereof, which stock-book, or a certified copy thereof as to the items in this section specified, shall be subject to the inspection, at all reasonable hours, of any person interested therein and applying therefor.

SEC. 13. The stocks in all private corporations organized under this act are to be deemed personal property, and subject to attachment, execution, levy, and sale as such; and the corporation, in case of such sale, is required to make the necessary transfers to the purchasers on the stock-book.

SEC. 14. All sales of stock, whether voluntary or otherwise, transfer to the purchaser all rights of the original holder, or person from whom the same is purchased, and subject such purchaser to the payment of any unpaid balance due or to become due on such stock; but, if the sale be voluntary, the seller is still liable to existing creditors for the amount of such balance, unless the same be duly paid by such purchaser.

SEC. 15. If the directors of a corporation declare and pay dividends when the corporation is insolvent, or which renders it insolvent, or diminishes the amount of its capital stock, such directors shall be jointly and severally liable for the debts of the corporation then existing, or incurred while they remain in office; or if such directors shall, by any official act or conduct, fraudulently induce any person to give credit to such corporation, they shall be liable in like manner to such person for any loss he may sustain thereby; but any director who voted against such dividend, or such fraudulent act or conduct, if present, or who thereafter, as soon as the same came to his knowledge, filed his objections thereto, shall be exempt from such liability.

SEC. 16. Any corporation organized under this act, which does not elect directors and commence the transaction of business for which it was formed within one year from the time of filing of the articles of incorporation, shall thenceforth be divested of its corporate powers; and if such corporation shall, for any period of six months after the commencement of its business, neglect and cease to carry on the same, its corporate powers shall also cease.

SEC. 17. All corporations that expire by the limitations specified in their articles of incorporation, or are annulled for forfeiture or other cause, by the judgment of a court, continue to exist as bodies corporate for the period of five years thereafter, if necessary, for the purpose of prosecuting or defending actions, suits, or proceedings by or against them, settling their business, disposing of their property, and dividing their capital stock, but not for the purpose of continuing their corporate business.

SEC. 18. The stockholders of any private incorporation, heretofore incorporated by any special act of the legislature, may, at any time hereafter, while such corporation exists, incorporate themselves under this act, in the mode herein prescribed, for the purpose of carrying on the enterprise, business, pursuit, or occupation for which they may have been specially incorporated; and the filing of the articles of incorporation shall be deemed a surrender of such special incorporation, but not of any vested rights thereunder, and thereafter such corporation shall have the powers and privileges and be subject to the liabilities and limitations provided by this act, and not otherwise.

SEC. 19. Any corporation under the provisions of this act may, at any meeting of the stockholders which is called for such purpose, by a vote of a majority of the stock of such corporation, increase or diminish its capital stock, or the amount of the shares thereof, or authorize the dissolution of such corporation, and the settling of its business and disposing of its property, and dividing its capital stock: *Provided, however*, That the capital stock of any corporation formed under this act, except corporations formed for the purpose of making and constructing a railroad, shall never exceed the sum of five millions dollars; and any corporation that shall violate this provision of this act shall forfeit its corporate rights.

SEC. 20. Any corporation formed for the purpose of navigating any stream or other water may, by virtue of such incorporation, construct any railroad, macadamized road, plank road, or clay road, or canal, or bridge necessary and convenient for the purpose of transporting freight or passengers across any portages on the line of such navigation, occasioned by any rapids or other obstructions to the navigation of such stream or other water, in like manner and with like effect as if such corporation had been specially formed for such purposes; but no corporation formed under this act, or heretofore or hereafter incorporated by any special act of incorporation passed by the legislative assembly of this territory, or otherwise, for the purpose of navigating any stream or other waters of this territory, or forming the boundary thereof, in whole or in part, nor any stockholder in such corporation, shall ever take or hold stock, or any interest directly or indirectly in the stock of any corporation which may be formed under this act, for the purpose of building or constructing any road in this act mentioned, nor shall any such corporation ever purchase, lease, or in any way control such road or the corporate rights of such last-named corporation: *Provided, further*, That corporations heretofore incorporated, or which may hereafter be formed under

this act, for the purpose of establishing and keeping a ferry across any stream or other water of this territory, or forming the boundary thereof, in whole or in part, shall not be deemed a corporation for the purpose of navigating such streams of water within the meaning of this act, nor shall the stockholders thereof be restrained from taking or holding stock in a corporation formed under this act, for the purpose of constructing or building any road.

SEC. 21. The stockholders may, by a majority vote of the stock, change its general place of business.

SEC. 22. The directors of any corporation may file supplementary articles of incorporation, at any time when a unanimous vote of all the stock subscribed shall so determine, for the purpose of engaging in any new enterprise or business pursuit not in violation of law, or for the purpose of changing any part of the route of their road or canal, or either terminus, or both; the directors shall cause a notice to be published of the filing of such supplementary articles, setting forth the object of the same.

SEC. 23. Any company incorporated under the laws of any other state or territory, for any enterprise, business, pursuit, or occupation proposed to be carried on, or the principal office or place of business is proposed to be located, within this territory, shall make and file certified and duly-authenticated copies of their articles of incorporation, as required by section second of this act, and shall cause their enterprise, business, pursuit, or occupation to be represented by a duly-authorized agent or agents, who shall reside within the limits and under the jurisdiction of this territory, and, upon complying with the requirements of this section, shall be entitled to all the rights and privileges allowed by this act, and shall be held liable and responsible to all its provisions in like manner as though incorporated within this territory.

SEC. 24. Any such incorporation as is mentioned in the preceding section, who shall commence to operate or do business in this territory previous to complying with the requirements of this act, shall forfeit all their rights, interests, claims, and demands within this territory, and any person aggrieved by the acts of said incorporation may, by process of law before the district court of the county or district where the principal office or place of business of said corporation is located, in the same manner, by attachment or otherwise, as if for the payment of money, obtain judgment; and shall, upon the recovery of such judgment against said incorporate company, be held responsible for any damages which may be awarded in such judgment, and all property, real or personal, held or owned by said incorporation shall be responsible for such damages, and subject to levy and sale under execution.

NOTE.—Section 24 amended by "An act supplemental to 'An act of general incorporation'", etc.

SEC. 25. It shall be the duty of said incorporation to file with the secretary of the territory, and the county recorder of the county in which the said enterprise, business, pursuit, or occupation is located, the lawful appointment of an agent, upon whom all notices and all processes against such incorporation may be served, and when so served shall be deemed and taken to be a personal service on such incorporation for all purposes whatsoever.

NOTE.—Section 25 amended by an act of March 7, 1881. (Session Laws, p. 138.)

SEC. 26. All acts or parts of acts in conflict with this act, and particularly chapter fifty-one of the Howell Code, entitled "Of corporations for mining purposes", shall be, and are hereby, repealed.

SEC. 27. This act shall take effect and be in force from and after its passage.

AN ACT for the relief of foreign corporations doing business in this territory. (Approved December 15, 1868, p. 519.)

SECTION 1. All mining or other corporations, organized in other territories or in the states, doing business in this territory, are hereby relieved from the payment of any and all taxes levied upon them in the year one thousand eight hundred and sixty-eight, beyond those assessed upon the actual value of their real and personal estate within the territory.

SEC. 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

AN ACT supplemental to an act entitled "An act of general incorporation", approved November 6th, 1866. (Approved February 7, 1877, p. 519.)

SECTION 1. The provisions of section twenty-four of the act to which this act is supplemental shall not apply to any incorporation which has heretofore complied with the requirements of section twenty-three of said act, or which shall comply with such requirements within ninety days after the passage of this act.

SEC. 2. All forfeitures accrued under section twenty-four of said act are hereby remitted: *Provided*, That the provisions of this act shall not apply to or affect any pending action or actions.

CHAP. XXXIII.

AN ACT to provide revenue for the territory of Arizona, and the several counties thereof. (Approved February 12, 1875, p. 333.)

SECTION 1. The annual *ad valorem* tax of twenty-five cents upon each one hundred dollars value of taxable property is hereby levied and directed to be collected and paid, for territorial purposes, upon the assessed value of

all property in this territory not by this act exempted from taxation; and upon the same property the board of supervisors of each county is also hereby authorized and empowered to levy and collect for county purposes such additional and special taxes, not exceeding two dollars upon each one hundred dollars' value of taxable property, as the laws of this territory may authorize or require them to levy and collect.

* * * * * * * * *

SEC. 3. Every tax levied under the provisions or authority of this act, upon any real property, is hereby made a lien upon the property assessed, which lien shall attach on the first Monday in March, and shall not be satisfied or removed until the taxes are all paid or the property has absolutely vested in a purchaser under a sale for taxes.

SEC. 4. All property of every kind and nature whatsoever, within this territory, shall be subject to taxation, except:

First. * * * All lands belonging to the United States. * * *

SEC. 5. The term "real estate", whenever used in this act, shall be deemed and taken to mean and include, and it is hereby declared to mean and include, the ownership of, or claim to, or possession of, or right of possession to any land within the territory; and the claim by, or possession of, any person, firm, corporation, association, or company to any lands shall be listed under the head of real estate: *Provided*, That the term "land", as used in this section, shall not be so construed as to include mining-claims, either lode or placer; the term "personal property", whenever used in this act, shall be deemed and taken to mean, and it is hereby declared to mean and include, * * * , gold, silver, and all other metals and minerals; * * * all machines and machinery; all works and improvements; * * * all capital loaned, invested, or employed in any trade, commerce, or business whatsoever; the capital stock of all corporations, companies, associations, firms, or individuals doing business or having an office in the territory; the money, property, and effects of every kind, except real estate, * * * , and all property of whatsoever kind or nature not included in the term "real estate" as said term is defined in this act; all personal property in the hands of any trustee, agent, administrator, executor, or receiver, and all personal property, mortgaged or pledged, shall, for the purposes of taxation, be deemed to be the property of the person who has the possession thereof.

NOTE.—"An act providing for the taxation of the net proceeds of mines", approved February 4, 1875 (p. 351), and "An act to amend 'An act providing for the taxation of the net proceeds of mines'", approved February 9, 1877 (p. 354), are repealed by acts approved February 21, 1881, and March 7, 1881, found, respectively, in Session Laws of 1881, pp. 78 and 137.

CHAP. XLVIII.—OF PROCEEDINGS IN CIVIL CASES, OF THE FORM OF CIVIL ACTIONS, AND OF THE PARTIES THERETO.

* * * * * * * * *

Of the execution of the judgment in civil actions.

* * * * * * * * *

SECTION 221. The property mentioned in chapter thirty-seven of this code, entitled "Of exemptions", shall be exempt from such execution, except in the manner in said chapter specified, and, as to all property so exempt, the proceedings on such execution shall be in accordance with the provisions of said chapter.

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CHAP. XXXVII.—OF EXEMPTIONS OF REAL ESTATE.

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Exemption of personal property.

SECTION 11. The following property shall be exempt from levy and sale under any execution, or upon any other final process of a court:

* * * * * * * * *

8. The tools, implements, materials, stock, apparatus, team, vehicle, horses, harness, or other things to enable any person to carry on the profession, trade, occupation, or business in which he is wholly or principally engaged, not exceeding in value six hundred dollars.

* * * * * * * * *

10. A sufficient quantity of hay, grain, feed, and roots for properly keeping for three months the animals in the several subdivisions of this section exempted from execution. * * *

AN ACT to amend section 25 of Chapter LI of the Compiled Laws of Arizona, entitled "Of general incorporations", approved November 6, 1866. (Approved March 7, 1881; Sess. Laws, 1881, p. 138.)

SECTION 1. Section 25 of Chapter LI of the Compiled Laws of Arizona, entitled "Of general incorporations", is hereby amended so as to read as follows: Add to said section 25 of said Chapter LI the following, to wit: *Provided, however*, That any company incorporated under the laws of any other state or territory, or any foreign country, and doing any business or holding any property within this territory, are required to file, with the county recorder of the county in which its business or property is located within this territory, the lawful appointment of an agent upon whom service of summons in all actions may be made. Such agent shall be a *bona fide* resident of the county in which his appointment shall be filed, and any company organized under the laws of any other state or territory, or any foreign country, failing to comply with the provisions of this section, shall be disqualified and incompetent to prosecute or defend or otherwise appear in any action in any court.

SEC. 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

SESSION LAWS OF 1881.

AN ACT relating to mines and mining-claims. (Approved March 12, 1881, p. 167.)

SECTION 1. Any person or persons who has or may hereafter locate a valid mining-claim in this territory under the laws of the United States, or of the territory of Arizona, shall be lawfully entitled to the right of way over all adjoining or adjacent mines or mining-claims for the purpose of transporting supplies, material, or ores used upon or taken from the claim or claims so entitled to the right of way; and it shall be lawful in the exercise of this right of way to construct such a road, tramway, or railway as may be necessary to transport such supplies, materials, or ores: *Provided*, That no such right of way shall be exercised in such a manner as to inconvenience or embarrass the owner or owners of such adjoining or adjacent claim or claims: *And provided, also*, That the owner or owners of said adjoining or adjacent claim or claims shall be entitled to remuneration from the person or persons claiming such right or way; the amount of such remuneration and the manner of ascertaining the same to be regulated by the rules and regulations as prescribed by an act of the territorial legislature, entitled "An act providing for constructing and maintaining toll roads, bridges, and ferries in Arizona territory", approved February 18, 1871.

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

NOTE.—Said act of February 18, 1871, is found on page 588 of Compiled Laws of Arizona, and in section 3 of said act (section 3522 of the compilation) the "amount of such remuneration and the manner of ascertaining the same" are found as follows: "Any person or persons proposing to construct a toll-road under the provisions of this act shall have the right to enter upon private lands for the purpose of examining and surveying the same; and when such lands cannot be obtained by the consent of the owner or owners thereof, so much of the same as may be necessary for the construction of said road may be appropriated by said person or persons, after making compensation therefor as follows: Said person or persons shall select one appraiser, and said owner or owners shall select one, and the two so selected shall select a third, who shall appraise the lands sought to be appropriated, after having been first sworn, before some officer entitled to administer oaths, to make a true appraisement thereof according to the best of their knowledge and ability. If such person or persons shall tender to such owner or owners the appraised value of such lands, they shall be entitled to proceed in the construction of the road over the land so appraised, notwithstanding such tender may be refused: *Provided*, That such tender shall always be kept good by such person or persons: *And provided further*, That an appeal may be taken by either party from the finding of the appraisers to the district court of the district within which the lands so appraised shall be situated, at any time within three months after such appraisement."

AN ACT to encourage mining. (Approved March 12, 1881, p. 162.)

SECTION 1. That no lands taken up or held as mining-claims under the laws of the United States shall be held or used for agricultural purposes, or irrigated from any stream of water, unless there should be more water in such stream than is required or used for mining purposes; and the use of water for the purpose of irrigating such lands for agricultural purposes shall not vest in the person so using the same any right to such water, as against a subsequent appropriation for mining purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

(AN ACT entitled "An act to create the office of territorial geologist, and define the duties of said office." (Approved March 12, 1881, p. 171.)

SECTION 1. There shall be a territorial geologist, to be known as the territorial geologist.

SEC. 2. The territorial geologist shall, before entering upon the duties of his office, take the oath of office.

SEC. 3. The territorial geologist shall be a competent mining engineer, and a resident of this territory, and shall hold office during the pleasure of the governor of the territory, shall hereafter as often as necessary [vacancy]

may occur in such office, fill the same by appointment. Such appointment shall be subject to confirmation by the legislative council of the territory.

SEC. 4. The duties of the territorial geologist shall be:

First. To collect all information as to the condition of mining industry in all portions of the territory, including first the product of gold, silver, copper, lead, and other metals; of coal, salt, gypsum, and other mineral products, the extent and character of the developments made in the various districts.

Second. The geological and mineralogical formation of the territory.

Third. The number and character and efficiency of the various reduction-works employed, and all improvements in metallurgical processes.

Fourth. To collect and exhibit a cabinet that shall justly represent the ores and minerals of the territory.

Fifth. To assay ores and analyze waters, minerals, etc., upon demand of any person, charging therefor the ordinary business rates for such services.

SEC. 5. It shall be incumbent on mine and mill owners to furnish to the territorial geologist any information he may legitimately require to competently execute the duties of his office.

SEC. 6. The territorial geologist shall not be allowed any salary or money for services rendered, or traveling expenses of any kind or character whatever.

SEC. 7. As often as the information and statistics collected shall be sufficient to form a volume of convenient size, the territorial geologist shall, with the consent and approval of the next legislature, cause an edition of such number of copies of the same to be printed and published in a neat and substantial manner as in his judgment he may deem proper.

SEC. 8. That this act shall take effect and be in force from and after its passage.

CALIFORNIA.

HITTELL'S GENERAL LAWS OF CALIFORNIA: 1850–1864.

AN ACT to protect owners of growing crops, buildings, and other improvements in the mining districts of this state. (Approved April 25, 1855, p. 683.)

SECTION 1. No person shall, for mining purposes, destroy or injure any growing crops of grain or garden vegetables growing upon the mineral lands of this state, nor undermine or injure any house, building improvement, or fruit trees standing upon mineral lands and the property of another, except as hereinafter provided.

SEC. 2. Whenever any person, for mining purposes, shall desire to occupy or use any mineral lands of this state, then occupied by such growing crops of grain, garden vegetables, fruit trees, houses, buildings, or other improvements, property of another, such person shall first give bond to the owner of the growing crop, building, fruit trees, or other improvement, to be approved by a justice of the peace of the township, with two or more sufficient sureties, in a sum to be fixed by three disinterested citizens, householders of the township, one to be selected by the obligor, one by the obligee, and one by a justice of the peace of the township, conditional that the obligor shall pay to the obligee any and all damages which said obligee may sustain in consequence of the destruction by the obligor, or those in his employ, of the growing crops, fruit trees, improvements, or buildings of the obligee: *Provided*, That the word improvements in this act shall be construed to mean any superstructure on said farm, ranch, or garden, and nothing more.

SEC. 3. If any person or persons shall violate the provisions of the first and second sections of this act, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof before any court of competent jurisdiction, shall be fined in a sum not exceeding two hundred dollars, nor less than fifty dollars, or by imprisonment in the county jail of said county not exceeding three months, either or both, at the discretion of the court: *Provided*, Nothing in this act shall prevent miners from working any mineral lands in the state after the growing crops on the same are harvested.

AN ACT concerning partnerships for mining purposes. (Approved April 4, 1864, p. 684; Cal. Stats., 1863–'4, p. 478.)

SECTION 1. All written contracts of copartnership for mining purposes upon the lands of the United States within this state, formed by two or more persons, shall be subject to the conditions and liabilities prescribed by this act.

NOTE.—This act was repealed by "An act entitled 'An act concerning partnerships for mining purposes'", approved April 2, 1866. (Cal. Stats., 1865–'66, p. 828; Parker's General Laws, p. 338.)

SEC. 2. Any member of a copartnership, or his successor in interest, in any mining-claim, who shall neglect or refuse to pay any assessment, or shall neglect to perform any labor or other liability incurred by the copartnership

agreement, may, after the expiration of sixty days after such assessment, labor, or other liability has become due, be notified in writing by any remaining partner or partners, or by his or their agents, that such assessment, labor, or liability is due, which written notice shall specify the name of such mine and the districts wherein it is located, and shall particularly mention the liability which has been incurred; and if such delinquent resides within the state he shall be personally served with such notice; and if the person so notified shall refuse or neglect, for thirty days after service of such written notice, to comply with the requirements of the copartnership agreement, the remaining partner or partners may sell the interest of such delinquent partner in and to such mining-claim.

SEC. 3. All sales under the provisions of this act shall be at public auction, and by giving five days' notice thereof, by posting written notices in three public places within the mining district where such mine is located. The notice shall also specify the extent of the interest to be sold, and the name of the delinquent partner or partners, and the time and place of such sale, which place shall be within the district where the mine is located. The purchaser at such sale shall acquire all the rights and title of the delinquent partner.

SEC. 4. If any delinquent partner in any mine is absent from the state, or resides in any other state or territory, the notice to such delinquent shall be by publication, once a week for four months, in some newspaper published in the county where the mine is located, or if there be no newspaper in the county, then such notice shall be published in some newspaper in an adjoining county. After the expiration of the time of such publication, the interest of such delinquent shall be sold in the manner prescribed in section third of this act.

SEC. 5. This act shall take effect from and after its passage.

AN ACT to provide for the conveyance of mining-claims. (Approved April 13, 1860, p. 110.)

SECTION 1. Conveyances of mining-claims may be evidenced by bills of sale or instruments in writing not under seal, signed by the person from whom the estate or interest is intended to pass, in the presence of one or more attesting witnesses; and also all conveyances of mining-claims heretofore made by bills of sale or instruments in writing not under seal shall have the same force and effect as *prima-facie* evidence of sale as if such conveyances had been made by deed under seal: *Provided*, That nothing in this act shall be construed to interfere with or repeal any lawful local rules, regulations, or customs of the mines in the several mining districts of this state: *And provided further*, Every such bill of sale or instrument in writing shall be deemed and held to be fraudulent and void as against all persons except the parties thereto, unless such bill of sale or instrument in writing be accompanied by an immediate delivery to the purchaser of the possession of the mining-claim or claims therein described, and be followed by an actual and continued change of the possession thereof, or unless such bill of sale or instrument in writing shall be acknowledged and recorded, as required by law in the case of conveyances of real estate.

(SEC. 2. This act shall apply to gold-mining claims only.)

NOTE.—Section 2 repealed by act March 26, 1863.

SEC. 3. This act shall be in force and take effect from and after its passage.

AN ACT in reference to corporations organized in this state for the purpose of mining out of this state. (Approved March 5, 1861, p. 157.)

SECTION 1. That it may be lawful for any corporation organized in this state, under the laws of this state, for the purpose of mining, or carrying on mining operations, without this state, whose business office is in this state, to levy assessments upon the capital stock thereof to pay the debts, future or present, of said corporation, or to carry on the business of said corporation: *Provided*, The same shall be equal and uniform, and at no time exceed five per cent. of the capital stock, and such levy, or assessment, shall constitute a valid and binding obligation upon the holders of such stock to pay the sum so assessed against the stock so held. Notice of each such call, or assessment, shall be given to the respective stockholders personally, or shall be published once a week for at least four weeks in some newspaper published at the place designated as the principal place of business of the corporation, and also in some newspaper published nearest to the point where said mining operations are being carried on. If, after such notice has been given, any stockholder shall make default in the payment of such call, or assessment, as to the shares of stock held by him, so many of such shares may be sold as will be necessary for the payment of the call, or assessment, on the shares held by him. The sale of said shares shall be made as prescribed in the by-laws of the company: *Provided*, That no sale shall be made except at public auction to the highest bidder, after a published notice of thirty days, published as above directed; and that at such sale the person who will agree to pay the call, or assessment, so due, together with the expense of advertisement and the other expenses of the sale, for the smallest number of whole shares, shall be deemed the highest bidder.

SEC. 2. This act shall take effect from and after its passage.

AN ACT to authorize mining companies or corporations to change their principal place of business. (Approved February 15, 1864, p. 157; Cal. Stats., 1863–'64, p. 76.)

SECTION 1. Any mining company or corporation lawfully organized and incorporated for mining purposes within the state of California may change its office or principal place of business by first obtaining the consent, in writing, of the stockholders representing two-thirds of all the capital stock of the company: *Provided*, That notice of such intended change, after such consent shall have been obtained, shall be inserted for thirty days in some newspaper published at or nearest the principal place of business of said mining company or corporation, designating the county, or city and county, to which it is intended to remove, before such removal shall be deemed lawful.

SEC. 2. Any mining company or corporation availing itself of the privileges of this act, upon filing in the office of the county clerk of the county, or city and county, to which a removal is intended to be made, a certified copy of its articles of incorporation, together with a certificate of the trustees of the company or corporation, under the seal thereof, that the requirements of section one of this act have been fulfilled, shall, from the time of such filing, be vested with all the powers in its new place of business which it might or could have exercised if originally incorporated in the county to which its office or principal place of business shall be removed.

SEC. 3. This act shall not be so construed as to authorize any mining company or corporation to remove its office or principal place of business out of the state.

SEC. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

AN ACT to authorize the removal of the office and principal place of business of mining and other corporations from the town of Aurora, in the territory of Nevada, to the city of San Francisco, or other places in the state of California. (Passed February 27, 1864, p. 158; Cal. Stats., 1863–'64, p. 109.)

SECTION 1. It is hereby declared lawful for any corporation heretofore organized under the laws of this state, whose principal place of business is in the town of Aurora, territory of Nevada, and such corporation is hereby authorized and empowered to remove its office and principal place of business to the city of San Francisco, or to any other city or town in the state of California, as such corporation may select, by a resolution of the board of trustees thereof, adopted in accordance with its by-laws.

SEC. 2. Every such corporation desiring to make such removal shall file in the office of the clerk of the city and county of San Francisco, or of the city and county of Sacramento, or of such county in this state wherein is situated the city or town to which such corporation desires to remove, a certified copy of such resolution, under their corporate seal, together with a certified copy of the original certificate of incorporation now on file in the office of the secretary of state, and shall also deliver a certified copy of such resolution to the county clerk of Esmeralda county, Nevada territory, and shall cause the same to be published for four successive weeks in some newspaper in the said town of Aurora; and from the time of the filing of said instruments in the clerk's office of the proper county in this state, the office and principal place of business of such corporation shall be deemed removed to and established at such city or town in this state as may be declared in such resolution.

SEC. 3. The resolution heretofore passed by the board of trustees of any corporation whose office and principal place of business has heretofore been in the town of Aurora, removing such office and place of business to any city or town in the state of California, is hereby legalized and declared valid and effectual; and from the time of the passage of such resolution all acts and proceedings of the trustees of such corporation, had or done in such city or town in this state, are hereby declared and made valid and effectual, in law and equity, as fully to all intents and purposes as though such city or town had been originally designated in the certificate of incorporation of such corporation as the principal place of business thereof: *Provided*, That such corporation shall, within sixty days from the passage of this act, file in the office of the county clerk of the county wherein such city or town is situated a certified copy of such resolution, attested by their corporate seal, together with a certified copy of the certificate of incorporation of said corporation now on file in the office of the secretary of state.

SEC. 4. This act shall take effect from and after its passage.

AN ACT to authorize corporations organized in this state, for the purpose of mining in or without this state, to establish and maintain transfer agencies in other states. (Approved April 4, 1864, p. 158; Cal. Stats., 1863–'64, p. 429.)

SECTION 1. That it may be lawful for any corporation organized in this state, for the purpose of mining or carrying on mining operations in or without the state, to establish and maintain agencies in other states of the United States for the transfer and issuance of their stock; and a transfer or issuance of [the] same at any such transfer agency, in accordance with the provisions of this statute, shall be valid and binding, and as fully and effectually so for all purposes as if made upon the books of such corporation at its principal office within this state.

SEC. 2. All stock of any such corporation issued at any such transfer agency shall be signed by the president and secretary of the corporation, and countersigned at the time of its issuance by the agent or agents of such

corporation having the charge of such transfer agency; and no stock shall be issued at such transfer agency unless the certificate or certificates of stock in lieu of which the same is issued shall at the time of such issuance be surrendered for cancellation.

SEC. 3. The stockholders of any such corporation may pass by-laws for the regulation and conduct of any such transfer agency: *Provided*, The same be not inconsistent with the provisions of this act. And such transfer agency shall at all times be subject to the control of the trustees of said corporation.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

AN ACT supplementary to an act to amend "An act defining the time for commencing civil actions", passed April 22, 1850, p. 638, approved April 18, 1863. (Approved February 18, 1864; Cal. Stats., 1863–'64, p. 91.)

SECTION 1. No action for the recovery of property in mining-claims, or for the recovery of the possession thereof, shall be maintained unless it appears that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the premises in question within two years before the commencement of this action.

SEC. 2. No cause of action or defense to an action founded upon the title to property in mining-claims, or to the rents or profits out of the same, shall be effectual unless it appear that the person prosecuting the action or making the defense, or under whose title the action is prosecuted or the defense is made, or the ancestor, predecessor, or grantor of such person was seized or possessed of the premises in question within two years before the commencement of the act in respect to which such action is prosecuted or defense made.

SEC. 3. This act shall take effect from and after its passage.

AN ACT to regulate the rights of the owners of mines. (Approved April 1, 1870; Parker's Gen. Laws Cal., p. 336.)

SECTION 1. The owner or owners of mines or mining-claims in this state shall have a right of way for ingress and egress, for all necessary purposes, over and across the land or mining-claims of others, as hereinafter prescribed.

SEC. 2. Whenever any mine or mining-claim shall be so situated that it cannot be conveniently worked without a road thereto, or a ditch to convey water thereto, or a ditch or cut to drain water therefrom, or without a flume or tunnel thereto, or a place whereon to dump or deposit tailings, and such road, ditch, or drain, or such flume or tunnel shall necessarily pass over, across, or through or under, and such place of deposit be upon mining-claims or other lands owned or occupied by others, then shall such first-mentioned owner or owners be entitled to a right of way for such road, ditch, drain, flume, or tunnel over, across, or through or under or to such place of deposit upon such other mining-claims or lands, upon compliance with the provisions of this act.

SEC. 3. Whenever the owner or owners of any mine or mining-claim shall desire to work the same, and it is necessary, to enable him or them to do so conveniently, that he or they should have a right of way for any of the purposes mentioned in the foregoing sections, or that he or they should have a place for dumpage and deposit of tailings, as mentioned in the preceding section, and such right of way or place of deposit shall not have been acquired by private agreement between him or them and the owners or occupants of the claims or lands over, across, under, or upon which he or they seek to establish such right of way or place of deposit, then it shall be lawful for him or them to present to the county court, or to the county judge if the court be not in session, of the county wherein such mine or claims are situated, a petition, praying that such right of way or place of deposit be awarded to him or them. Such petition shall be verified and shall contain a particular description of the character and extent of the right sought, a description of the mine or claims of the petitioners and of the claims or lands to be affected by such right or privilege, with the names of the owners or occupants thereof. It shall also show that such right or privilege has not been acquired by private agreement or contract between the respective parties, and shall conclude with a prayer for the allowance thereof by the court or judge, and the appointment of three commissioners to assess the damages resulting from such allowance.

SEC. 4. Upon the receipt of such petition and the filing thereof in the office of the clerk of the county court, the court or judge, as the case may be, shall direct a citation to issue, under the seal of the court, to the owners, named in the petition, of mining-claims or lands to be affected by the granting of such right or privilege, requiring them and each of them to appear before such court, or the judge thereof if the court be not in session, on a day therein named, which shall not be less than ten days from the service thereof, and show cause why such right or privilege should not be awarded or allowed, and such commissioners appointed as prayed for. Such citation shall be served on each of the parties therein named in the manner prescribed by law for the service of summons in ordinary proceedings at law.

SEC. 5. Upon the day named in the citation, or upon any subsequent day to which the hearing may be adjourned, the county court, or the county judge if the court be not in session, shall proceed to hear the allegations and proofs of the respective parties, and if satisfied that the claims of the petitioners can only be conveniently worked by

means of the right of way, privilege, or place of deposit prayed for, shall make an order adjudging and awarding to such petitioners such right of way, privilege, or place of deposit, and appointing three disinterested persons, residents of the county, as a commission to assess the damages resulting to the owners of mining-claims or lands affected thereby.

SEC. 6. The commissioners so appointed, being duly sworn, shall proceed without delay to examine the mine or claims of the person or persons petitioning, as well as the mining-claims or lands to be affected by the right or privilege prayed for. They may also hear testimony relative to the value of such mining-claims or lands, and the damages resulting from such right or privilege, and report in writing the result of their inquiries to the court or judge appointing them. Such report shall designate the course or line and dimensions of the road, ditch, drain, flume, or tunnel (as the case may be), or the place of deposit prayed for. It shall further designate the value of the lands to be occupied by or appropriated to and for such right of way or place of deposit, and assign the damages which each of the owners or occupants of mining-claims or lands affected by such right of place or deposit shall suffer in consequence thereof.

SEC. 7. Within ten days from the filing of such report, any of the parties concerned in the same may move, for cause shown by affidavit, to set aside the same; and if, upon the hearing of such motion, such court or judge shall set aside or vacate such report, a new commission shall be appointed, which shall proceed in all respects as is provided for the first commission. If no motion to set aside the report of the first or any succeeding commission be made as provided in the last section, or if, being made, it is denied, then the same shall be regarded as final, and an order shall be made by the court or judge in pursuance thereof.

SEC. 8. Upon the payment of the sum assessed as damages to each of the owners or occupants of claims or lands to whom the same shall have been awarded by the report and order mentioned in the preceding section, then the person or persons petitioning shall be entitled to the right of way or place of deposit, as designated and defined by such report, over or upon the land or claims of the person or persons receiving such compensation, and he or they may, upon making such payment, proceed to occupy the line, route, way, or place of deposit so designated, and to erect thereon such works and structures, and make such excavations, as may be necessary to the use and enjoyment of the right of way or place of deposit so awarded.

SEC. 9. Whenever the owner or owners of any mine or mining-claims are desirous, in working the same, to carry off the tailings and other refuse matter through and along any water course, ravine, or natural outlet, which is in whole or in part owned or occupied by other persons for mining or other purposes, then such first-mentioned owner or owners may proceed, in the manner hereinbefore provided, to have such right and privilege awarded to him or them: *Provided, nevertheless*, That the county court or judge shall not make such award or appoint a commission unless such court or judge shall be satisfied that the right or privilege sought can be enjoyed without especial injury to those owning or occupying claims or lands along or upon such water course, ravine or outlet.

SEC. 10. All costs and expenses shall be paid by the party making the application, and the commissioners appointed shall receive five dollars per day for each day actually engaged in the service.

AN ACT to secure to the miners of this state pure and unadulterated quicksilver. (Approved March 10, 1866; Parker's Gen. Laws Cal., p. 338.)

SECTION 1. Every company or person within this state engaged in the production of quicksilver by mining for the purposes of sale, and every firm, company, or person importing into this state quicksilver for the purpose of sale, shall cause to be prepared a metallic stamp of such form and character as may enable such company or person to impress upon wax or other plastic material the seal hereinafter provided. Such stamp shall be so constructed that either by characters engraved upon the same, or moveable types and dies connected therewith, there may be impressed a seal, showing:

First. The name of the company, firm, or person producing or importing the quicksilver.

Second. The date at which such seal is applied to each tank or vessel of quicksilver.

Third. The amount of quicksilver contained in such tank or vessel.

SEC. 2. Before any tank of quicksilver shall leave the works of any mining company engaged in the production of the same for sale, or the warehouse of any firm or person importing such quicksilver for sale, such company, firm, or person shall cause a seal of wax, or other plastic material adapted to the purpose, to be applied to the tap, plug, or orifice through which such tank is filled, in such a manner that such tap or plug cannot be removed or disturbed, or such orifice opened without breaking or displacing such seal. Such seal when thus applied shall be impressed with the stamp above provided, in such manner that such seal shall exhibit plainly all the characters required of such stamp.

SEC. 3. Any person who shall forge or falsely fabricate the stamp or seal of any company, firm, or person, as herein provided, or attach the same to any tank or vessel of quicksilver, shall be deemed guilty of forgery, and, upon conviction, shall be punished by imprisonment in the state prison for the period of not less than one nor more than five years.

SEC. 4. Any person who shall willfully and knowingly adulterate and debase any quicksilver designed for sale, or that may hereafter be offered for sale, by mixing with such quicksilver any lead, antimony, or other base metal, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not exceeding one thousand dollars, or imprisonment in the county jail not exceeding one year, or both such fine and imprisonment.

SEC. 5. Any vendor of quicksilver who shall vend or sell to any person any quicksilver debased or adulterated, by mixture with the same of any lead, antimony, or other base metals, shall be liable to the purchaser of such quicksilver for all the damages and injury sustained from such debasement, to be recovered by such purchaser in a civil action. And such damages, when ascertained by the court or jury, shall be at once quadrupled by the court, or by the clerk by order of the court, and judgment for four times the damages proven shall be entered in favor of the plaintiff and against such defendant: *Provided*, That nothing contained in this section shall be taken to apply to any person selling quicksilver that has been already employed in mining or the mechanical arts, and who, when selling the same, shall state to the purchaser that such quicksilver has been thus employed.

AN ACT entitled an act concerning partnerships for mining purposes. (Approved April 28, 1866; Parker's Gen. Laws Cal., p. 338.)

SECTION 1. Whenever any two or more persons, being owners, occupants, or locators of any mining-claim, or when any two or more persons shall have associated themselves together, with or without any written agreement (but not as a body corporate), for the purpose of working or prospecting any mining-claim on any of the public lands of the United States, shall, after being notified in writing by any member of said mining company that they have been associated in said mining-claim, be deemed to be copartners for the purpose of prospecting or working said mining-claim, and shall be subject to the provisions and liabilities imposed by this act.

SEC. 2. After a mining-claim shall have been located, any person who shall be a member of the company desiring to work said claim may notify the other members of the company of his or their desire to have an assessment levied against the owners of said claim for the purpose of prospecting, working, or developing such claim, designating a time and place for a meeting of the members of such company for the purpose of levying such assessment. Such notice shall be given as provided in the fourth section of this act, and if a majority of the shares in such mining-claim be represented at such meeting, then a majority of those present at such meeting shall be authorized to levy such assessment; but if a majority of the shares in such company be not represented at such meeting, then a majority of those present shall be authorized to cause the said mining-claim to be prospected or worked; and thereafter the owners in such mining-claim shall be liable for their respective proportion of the expenses so incurred in prospecting, working, or developing such claim to the extent of the value of their interest in such claim; and thereafter assessments may be levied from time to time, not oftener than once in thirty days, by any member not delinquent of said mining company, against delinquent members, for the collection of sufficient amount of assessment to pay for the working and prospecting of such claim up to the time such assessment is made; and such delinquent assessment may be collected as in this act provided: *Provided*, That when the mining companies have by-laws designating what amount of work shall be done in such claim, then any assessment made as provided in this act shall not exceed an amount sufficient to pay for the work required by the by-laws: *And provided further*, That no new assessment shall be made until all previous assessments have been paid, or the remedies for the collection thereof shall have been exhausted.

SEC. 3. Any member of a mining company, or his heirs, executors, administrators, or assigns in any mining claim, who shall neglect or refuse to pay any assessments, or shall neglect to perform any labor, or other liability which shall become due from him under this act, may, after the expiration of thirty days after such assessment, labor, or other liability has become due, be notified in writing by any remaining member or members, or by his or their agent, that such assessment, labor, or other liability is due, which written notice shall specify the name of such mine and the district wherein it is located, and shall particularly mention the liability which has been incurred.

SEC. 4. Such notice and all other notices required under this act shall be served as follows:

First. If the party reside in the county where the mine is located, it shall be delivered to him personally or left at his place of residence.

Second. If the party reside out of the county but within the state, and his place of residence is known, such notice shall be deposited in a post-office or express-office, in a sealed envelope, with postage or express charges, as the case may be, prepaid, addressed to such party at his place of residence.

Third. If such party reside out of the state, or his place of residence is unknown, such notice shall be published once a week for eight successive weeks in some newspaper published in the county where the mine is located, if there be such paper; otherwise, in some newspaper published in an adjoining county.

SEC. 5. If the person so notified shall neglect or refuse to pay or discharge such assessments, work, or liability for ten days after personal service, or leaving notice at his residence, when such service has been had, or notice so left, or for twenty days after deposit in post or express office of such notice, when such deposit has been made, or until the expiration of the full period of publication herein provided, when publication is made, thereafter such delinquents shall be deemed to have absolutely forfeited and abandoned to the other members of said mining

company all the right, title, claim, and interest owned, held, or possessed by such delinquent in the said mining-claim, such portion thereof as shall be sufficient to satisfy such delinquency; the remaining member or members may sell the interest of such delinquent member in and to such mining-claim, or so much of said interest as may be required to pay such assessment or liability, together with costs of sale.

SEC. 6. All sales under the provisions of this act shall be at public auction at the mining-claim, and shall be made by any constable of the township, auctioneer, or sheriff of the county, and by giving ten days' notice thereof by posting written notices in three public places within the mining district where such mine is located. The notice shall also specify the extent of the interest of the delinquent, and the amount of the delinquency, and the name of such delinquent member or members at the time and place of such sale, which place shall be within the district where the mine is located, and shall commence by offering the smallest number of feet or shares in such claim for sale, and continue selling at the same time and place until a sufficient number of feet or shares is sold to pay the delinquent assessment or liabilities; and the officer selling shall execute a deed to the purchaser or purchasers, and such deed shall be received in all courts as *prima-facie* evidence of the lawful authority of the officer selling, and of the regularity of all proceedings prior to the execution of the deed, and as *prima-facie* evidence that all the right, title, and interest of the party delinquent has been lawfully and rightfully sold and conveyed to the purchaser; and the purchaser's title to such mining-claim shall be absolute.

SEC. 7. The provisions of this act shall also apply to all persons who have refused or neglected to sign articles of incorporation or a deed of trust in any incorporated mining company.

SEC. 8. An act entitled "An act concerning partnerships for mining purposes", approved April fourth, eighteen hundred and sixty-four, is hereby repealed.

AN ACT to authorize and direct the municipal authorities of the several cities and incorporated towns of this state to execute certain trusts in relation to the town lands granted to the incorporated cities and towns in this state by the act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands", approved March second, eighteen hundred and sixty-seven. (Approved March 24, 1868; Parker's Gen. Laws Cal., p. 443.)

(NOTE.—After providing for the survey, sale, etc., of such lands, it is provided that deeds shall issue to purchasers; and it is then in)

SECTION 9. * * * *Provided, further*, That whenever mining-claims shall have been located prior to the passage of this act, and when the same shall be prior in location to the claim of any occupant for other purposes, such mining-rights, according to the metes and bounds so located and claimed, shall not in any manner be affected by the provisions of this act; nor shall any sale be made nor any title be conveyed by reason of any sale or pretended sale of such lands so claimed for mining purposes until after the occupancy of such mining-claims shall have been abandoned by the holders thereof.

CIVIL CODE: 1872.

TITLE X, CHAP. IV.—MINING PARTNERSHIPS.

Sec.
2511. When a mining partnership exists.
2512. Express agreement not necessary to constitute.
2513. Profits and losses, how shared.
2514. Lien of partners.
2515. Mine—Partnership property.
2516. Partnership not dissolved by sale of interest.
2517. Purchaser takes, subject to liens, unless, etc.
2518. Takes with notice of lien, when.
2519. Contract in writing, when binding.
2520. Owners of majority of shares govern.

SECTION 2511. A mining partnership exists when two or more persons who own or acquire a mining-claim for the purpose of working it and extracting the mineral therefrom actually engage in working the same.

SEC. 2512. An express agreement to become partners or to share the profits and losses of mining is not necessary to the formation or existence of a mining partnership. The relation arises from the ownership of shares or interests in the mine and working the same for the purpose of extracting the minerals therefrom.

SEC. 2513. A member of a mining partnership shares in the profits and losses thereof in the proportion which the interest or share he owns in the mine bears to the whole partnership capital or whole number of shares.

SEC. 2514. Each member of a mining partnership has a lien on the partnership property for the debts due the creditors thereof, and for money advanced by him for its use. This lien exists notwithstanding there is an agreement among the partners that it must not.

SEC. 2515. The mining ground owned and worked by partners in mining, whether purchased with partnership funds or not, is partnership property.

SEC. 2516. One of the partners in a mining partnership may convey his interest in the mine and business without dissolving the partnership. The purchaser, from the date of his purchase, becomes a member of the partnership.

SEC. 2517. A purchaser of an interest in the mining ground of a mining partnership takes it subject to the

liens existing in favor of the partners for debts due all creditors thereof, or advances made for the benefit of the partnership, unless he purchased in good faith, for a valuable consideration, without notice of such lien.

SEC. 2518. A purchaser of the interest of a partner in a mine, when the partnership is engaged in working it, takes with notice of all liens resulting from the relation of the partners to each other and to the creditors of the partnership.

SEC. 2519. No member of a mining partnership or other agent or manager thereof can, by a contract in writing, bind the partnership, except by express authority derived from the members thereof.

SEC. 2520. The decision of the members owning a majority of the shares or interests in a mining partnership binds it in the conduct of its business.

PART IV.—CORPORATIONS.

TITLE I.—GENERAL PROVISIONS APPLICABLE TO ALL CORPORATIONS.

CHAP. I.—Formation of corporations.
CHAP. II.—Corporate stock.
CHAP. III.—Corporate powers.
CHAP. IV.—Extension and dissolution of corporations.

CHAP. 1.—FORMATION OF CORPORATIONS.

ART. I. Corporations defined and how organized.
ART. II. By-laws, directors, elections, and meetings.

ART. I.—*Corporations defined and how organized.*

Sec.
283. Corporations defined.
284. What are public and private corporations.
285. Corporations, how formed.
286. For what purpose private corporations are formed.
287. How corporations may continue their existence under this code.
288. Existing corporations not affected.
289. Name of instrument creating corporation.
290. Articles of incorporation, what to contain.
291. Certain corporations to state further facts in articles.
292. Five corporators, three to be citizens of the state, to sign articles and acknowledge the same.
293. Prerequisite to filing articles. Amounts to be subscribed to be fixed.
294. Prerequisite to filing articles of corporations for profit.
295. Oath of officer to subscription of stock and payment of ten per cent.
296. To file articles with county clerk and secretary of state, and receive certificate. Term of existence.
297. Certified copy of certificate to be *prima-facie* evidence of its contents.
298. Who are members and who stockholders of a corporation.
299. When member dies successor to be elected.

SECTION 283. A corporation is a creature of the law, having certain powers and duties of a natural person. Being created by the law, it may continue for any length of time which the law prescribes.

SEC. 284. Corporations are either public or private. Public corporations are formed or organized for the government of a portion of the state; private corporations are formed for the purpose of religion, benevolence, education, art, literature, or profit.

SEC. 285. Private corporations may be formed by the voluntary association of any five or more persons for the purposes and in the manner prescribed in this article. A majority of such persons shall be citizens of this state. Married women may become corporators, officers, and members of religious, benevolent, art, literary, or educational corporations.

SEC. 286. The purposes for which private corporations may be formed are the following, and none other:

1. Fire, marine, life, health, accident insurance;
2. The insurance of the lives of domestic animals;
3. Construction, conduct, and maintenance of railroads, and telegraph lines in connection therewith;
4. Construction, conduct, and maintenance of street railroads, plank roads, turnpikes, common wagon roads,
5. Construction, conduct, and maintenance of bridges, ferries, wharves, chutes, piers;
6. The establishment, conduct, and maintenance of express or stage lines;
7. Constructing, conducting, and maintaining telegraph lines;
8. Constructing and maintaining canals for navigation, and canals and ditches for drainage, agricultural, or mining purposes;
9. For navigating the ocean, or any of the waters of this state, with vessels propelled by sails, or in whole or in part by steam;
10. The purchase of lands for and the distribution of homesteads;
11. The accumulation of funds for the purchase of real property, and for the erection of buildings and improvements thereon, for the benefit of the members thereof;

12. Accumulating savings and loaning the funds of the members thereof;

13. Manufacturing, mining, mercantile, mechanical, wharfing, docking, or chemical purposes, or for engaging in any other species of trade, business, or commerce;

14. The transacting of a printing and publishing business;

15. To supply water to the public;

16. The manufacture and supply of gas, or the supply of light or heat to the public by any other means;

17. The establishment, conduct, and maintenance of hotels, laundries, or theaters;

18. For the formation, conduct, and maintenance of district and county agricultural fairs;

19. The encouragement of, or business of, agriculture, horticulture, or stock raising;

20. The improvement of the breed of domestic animals;

21. The support, conduct, and maintenance of colleges of learning, or for any literary or scientific object, or for the promotion of any of the sciences or fine arts;

22. Acquiring, preserving, and conducting public libraries;

23. The organization and conduct of chambers of commerce, boards of trade, and mechanic institutes;

24. The support, conduct, and maintenance of homes and schools for orphans and foundlings, or either of them, or any person otherwise destitute;

25. For the purposes of religion, sociability, charity, or learning;

26. The purchase of lands for and the maintenance of cemeteries;

27. For banks of discount and deposit.

SEC. 287. Any existing corporation formed under any law of this state, for any purpose designated in any subdivision of the preceding section, may, at a meeting of its members or stockholders, called for that purpose, continue its existence, under Title I of this part, or under the provisions of any subsequent title particularly applicable thereto, as follows:

1. Public notice of such meeting, and of its object, must be given by publishing the same in a daily newspaper for two weeks, or a weekly newspaper for four weeks, successively, published in the county where the principal place of business of the corporation is. In lieu of the publication, personal notice may be given to each member or stockholder thereof;

2. Two-thirds of the members, if there is no capital stock, and if there is a capital stock, then stockholders representing two-thirds of it, must vote in favor of such continuance;

3. A copy of the proceedings of this meeting, giving the names of all persons present, the votes taken, the notice calling the meeting, and the proof of its publication or service, all duly certified by the president and secretary of the corporation, must be filed in the offices of the secretary of state and clerk of the county where the articles of incorporation are on file. Thereafter such corporation is possessed of all the rights and powers, and subject to all the obligations, restrictions, and limitations, provided in this part applicable thereto, and its corporate existence is continued.

SEC. 288. No corporation formed or existing before twelve o'clock, noon, of the day upon which this code takes effect is affected by the provisions of Part IV of division first of this code, unless such corporation elects to continue its existence under it as provided in section 287; but the laws under which such corporations were formed and exist are applicable to all such corporations, and are repealed, subject to the provisions of this section.

SEC. 289. The instrument by which a private corporation is formed is called "Articles of incorporation".

SEC. 290. Articles of incorporation must be prepared, setting forth:

1. The name of the corporation;

2. The purpose for which it is formed;

3. The place where its principal business is to be transacted;

4. The term for which it is to exist, not exceeding fifty years;

5. The number of its directors or trustees, and the names and residences of those who are appointed for the first year;

6. The amount of its capital stock and the number of shares into which it is divided;

7. If there is a capital stock, the amount actually subscribed, and by whom.

NOTE.—Section 290 was amended by the act approved April 16, 1880.

SEC. 291. The articles of incorporation of any railroad, wagon road, or telegraph organization must also state:

1. The kind of road or telegraph intended to be constructed;

2. The place from and to which it is intended to be run, and all the intermediate branches;

3. The estimated length of the road or telegraph line;

4. That at least ten per cent. of the capital stock subscribed has been paid in to the treasurer of the intended corporation.

SEC. 292. The articles of incorporation must be subscribed by five or more persons, three of whom must be citizens of this state, and acknowledged by each before some officer authorized to take and certify acknowledgments of grants of real property.

SEC. 293. Each intended corporation named in section 291, before filing articles of incorporation, must have actually subscribed to its capital stock, for each mile of the contemplated work, the following amounts, to wit:

1. One thousand dollars per mile of railroads;
2. One hundred dollars per mile of telegraph lines;
3. Three hundred dollars per mile of wagon roads.

SEC. 294. Before the articles of incorporation of any corporation referred to in the preceding section are filed, there must be paid for the benefit of the corporation, to a treasurer elected by the subscribers, ten per cent. of the amount subscribed.

SEC. 295. Before the secretary of state issues to any such corporation a certificate of the filing of articles of incorporation, there must be filed in his office an affidavit of the president, secretary, or treasurer named in the articles that the required amount of the capital stock thereof has been actually subscribed, and ten per cent. thereof actually paid to a treasurer for the benefit of the corporation.

SEC. 296. Upon the filing of the articles of incorporation in the office of the county clerk of the county in which the business of the company is to be transacted, and a copy thereof with the secretary of state, the secretary of state must issue to the corporation, over the great seal of the state, a certificate that such articles, containing the required statement of facts, have been filed in his office; and thereafter the persons signing the same, and their associates and assigns, are a body politic and corporate, by the name stated in the certificate, and for the term of fifty years, unless it is in the articles of incorporation otherwise stated, or in this part otherwise specially provided.

SEC. 297. A copy of any articles of incorporation filed in pursuance of this chapter, and certified by the secretary of state, must be received in all the courts and other places as primary evidence of the facts therein stated.

SEC. 298. The owners of shares in a corporation which has a capital stock are called stockholders. If a corporation has no capital stock, the corporators and their successors are called members.

SEC. 299. If a member of a corporation dies, resigns, or is removed, a majority of the remaining members may elect another in his place.

NOTE.—Section 299 was amended by the act approved April 23, 1880.

ART. II.—*By-laws, directors, elections, and meetings.*

Sec.
301. Adoption of by-laws, when, how, and by whom.
302. Directors, election of, etc.
303. By-laws may provide for what.
304. By-laws, recorded, and how amended.
305. How many and who to be directors.
306. Corporations at first meeting to elect directors and adopt by-laws.
307. Elections, how conducted.
308. Organization of board of directors, etc.
309. Dividends to be made from surplus profits.
310. Removal from office of directors, etc.
311. Justice of the peace may order meeting, when.
312. Majority of stock must be represented, and a majority vote together, otherwise it is fraudulent.
313. All stock may be represented in votes.
314. Election may be postponed.
315. Complaints and *quo warranto* and proceedings thereon regarding elections.
316. False certificate, report, or notice to make officers liable.
317. Meeting by consent to be valid.
318. Proceedings at meeting to be binding.
319. Meetings, where held.
320. When no provision in by-laws for regular meetings, special meetings, how called.

SECTION 301. Every corporation formed under this title must, at a meeting of its stockholders or members, to be held within one month after filing articles of incorporation, adopt a code of by-laws for its government not inconsistent with the constitution and laws of this state. Notice of such meeting, by order of the acting president, specifying its object, must be published two weeks in some newspaper published in the county where the meeting is to be held; or if none is published therein, then in a paper published in an adjoining county. In the adoption of the by-laws, each stockholder has as many votes as he holds shares of stock; if there is no capital stock, each member has one vote. A majority of all the subscribed capital stock, or of the members if there is no capital stock, is necessary to adopt the by-laws, or any one of them.

SEC. 302. The directors of a corporation must be elected annually by the stockholders or members, and if no provision is made in the by-laws for the time of election, the election must be held on the first Tuesday in June. Notice of such election must be given, and the right to vote determined, as prescribed in section 301.

SEC. 303. A corporation may, by its by-laws, where no other provision is specially made, provide:

1. The time, place, and manner of calling and conducting their meetings;
2. The number of stockholders or members or the quantity of stock constituting a quorum;
3. The number of shares which entitles the stockholders respectively to one or more votes;
4. The mode of voting by proxy;
5. The time and place of the annual election for directors, and the mode and manner of giving notice thereof;
6. The mode of selling shares for the non-payment of assessments or installments;
7. The compensation and duties of officers;
8. The tenure of office of subordinate officers; and,

9. Suitable penalties for violations of by-laws, not exceeding, in any case, one hundred dollars for any one offense.

SEC. 304. All by-laws adopted must be certified by the officers of the corporation, and filed and recorded in the recorder's office of the county where the principal place of business of the corporation is located. The by-laws thus adopted must not be altered or amended, except at a special meeting of the stockholders or members, to be called by the directors for that purpose, specifying in the order the proposed amendments, and a two-thirds vote of all the subscribed capital stock or of the members is necessary to adopt the same. And the amendments thus adopted must be certified and recorded in the same manner as the original by-laws.

SEC. 305. The corporate powers, business, and property of all corporations formed under this title must be exercised, conducted, and controlled by a board of not less than five nor more than eleven directors, to be elected from among the holders of stock; or where there is no capital stock, then from the members of such corporation. A majority of the directors must be citizens of this state. Directors of corporations for profit must be holders of stock therein in an amount to be fixed by the by-laws of the corporation. Directors of all other corporations must be members thereof. Unless a quorum is present and acting, no business performed or act done is valid as against the corporation. Whenever a vacancy occurs in the office of director, unless the by-laws of the corporation otherwise provide, such vacancy must be filled by an appointee of the board.

SEC. 306. At the first meeting called, as soon as the by-laws are adopted, unless it is provided that the officers named in the articles of incorporation shall continue until a certain other date, directors must be elected, a majority of the subscribed capital stock or of the members being necessary to a choice.

SEC. 307. All elections must be by ballot, and, unless otherwisep rescribed by the by-laws, a majority of the subscribed capital stock or of the members is necessary to a choice.

SEC. 308. Immediately after their election, the directors must organize by the election of a president, who must be one of their number, a secretary, and treasurer. They must perform the duties enjoined on them by law and the by-laws of the corporation. A majority of the directors is a sufficient number to form a board for the transaction of business, and every decision of a majority of the directors forming such board, made when duly assembled, is valid as a corporate act.

SEC. 309. The directors of corporations must not make dividends, except from the surplus profits arising from the business thereof; nor must they divide, withdraw, or pay to the stockholders, or any of them, any part of the capital stock; nor must they create debts beyond their subscribed capital stock, or reduce or increase the capital stock, except as hereinafter specially provided. For a violation of the provisions of this section, the directors under whose administration the same may have happened (except those who may have caused their dissent therefrom to be entered at large on the minutes of the directors at the time, or were not present when the same did happen) are, in their individual and private capacity, jointly and severally, liable to the corporation, and to the creditors thereof, in the event of its dissolution, to the full amount of the capital stock so divided, withdrawn, paid out, or reduced, or debt contracted; and no statute of limitations is a bar to any suit against such directors for any sums for which they are made liable by this section. There may, however, be a division and distribution of the capital stock of any corporation which remains after the payment of all its debts, upon its dissolution or the expiration of its term of existence.

SEC. 310. No director shall be removed from office, unless by a vote of two-thirds of the members, or of stockholders holding two-thirds of the capital stock, at a general meeting held after previous notice of the time and place, and of the intention to propose such removal. Meetings of stockholders for this purpose may be called by the president, or by a majority of the directors, or by members or stockholders holding at least one-half of the votes. Such calls must be in writing and addressed to the secretary, who must thereupon give notice of the time, place, and object of the meeting, and by whose order it is called. If the secretary refuse to give the notice, or if there is none, the call may be addressed directly to the members or stockholders, and be served as a notice, in which case it must specify the time and place of meeting. The notice must be given in the manner provided in section 301 of this title, unless other express provision has been made therefor in the by-laws. In case of removal, the vacancy may be filled by election at the same meeting.

SEC. 311. Whenever, from any cause, there is no person authorized to call or to preside at a meeting of a corporation, any justice of the peace of the county where such corporation is established may, on written application of three or more of the stockholders or of the members thereof, issue a warrant to one of the stockholders or members, directing him to call a meeting of the corporation, by giving the notice required, and the justice may in the same warrant direct such person to preside at such meeting until a clerk is chosen and qualified, if there is no other officer present legally authorized to preside thereat.

SEC. 312. At all elections or votes had for any purpose there must be a majority of the subscribed capital stock or of the members represented, either in person or by proxy in writing. Every person acting therein, in person or by proxy or representative, must be a member thereof or a *bona fide* stockholder, having stock in his own name on the stock-books of the corporation, at least ten days prior to the election. Any vote or election had other than in accordance with the provisions of this article is voidable at the instance of absent stockholders or members, and

may be set aside by petition to the district court of the county where the same was held. Any regular or called meeting of the stockholders or members may adjourn from day to day, or from time to time, if for any reason there is not present a majority of the subscribed stock or members, or no election or majority vote had, such adjournment and the reasons thereof being recorded in the journal of proceedings of the board of directors.

SEC. 313. The shares of stock of an estate of a minor, insane, or deceased person may be represented at all elections and meetings of the corporation by the legal representative of the person holding the same.

SEC. 314. If from any cause an election does not take place on the day appointed in the by-laws, it may be held on any day thereafter as is provided for in such by-laws, or to which such election may be adjourned or ordered by the directors. If an election has not been held at the appointed time, and no adjourned or other meeting for the purpose has been ordered by the directors, a meeting may be called by the stockholders, as provided in section 310 of this article.

SEC. 315. Upon the application of any person or body corporate aggrieved by any election held by any corporate body, or any proceedings thereof, the district judge of the district in which such election is held must proceed forthwith summarily to hear the allegations and proofs of the parties, or otherwise inquire into the matters of complaint, and thereupon confirm the election, order a new one, or direct such other relief in the premises as accords with right and justice. Before any proceedings are had under this section, five days' notice thereof must be given to the adverse party or those to be affected thereby.

SEC. 316. Any officer of a corporation who makes or gives a certificate, official report, public notice, or entry in any of the records or books of the corporation concerning the corporation or its business, which is false in any material representation, and who knew or had full opportunity to know the same to be false, is liable for all the debts of the corporation contracted while he was a stockholder or officer thereof; and if more than one violate the provisions of this section in concert, they are jointly and severally liable.

SEC. 317. When all the stockholders or members of a corporation are present at any meeting, however called or notified, and sign a written consent thereto on the record of such meeting, the doings of such meeting are as valid as if had at a meeting legally called and noticed.

SEC. 318. The stockholders or members of such corporation, when so assembled, may elect officers to fill all vacancies then existing, and may act upon such other business as might lawfully be transacted at regular meetings of the corporation.

SEC. 319. The meetings of the stockholders and board of directors of a corporation must be held at its office or principal place of business.

SEC. 320. When no provision is made in the by-laws for regular meetings of the directors and the mode of calling special meetings, all meetings must be called by special notice in writing, to be given to each director by the secretary, on the order of the president, or if there be none, on the order of two directors.

CHAP. II.—CORPORATE STOCK.

ART. I.—Stock and stockholders.
ART. II.—Assessments of stock.

ART. I.—*Stock and stockholders.*

Sec.
322. Liabilities of stockholders. They may be released, when.
323. Certificates, how and when issued.
324. Transfer of shares.
325. Transfer of shares held by married women, etc. Dividends payable to married women.
326. Non-resident stockholders. Bonds.

SECTION 322. Each stockholder or member of any corporation is severally, individually, and personally liable for such proportion of all its debts and liabilities as the amount of stock or shares owned by him in such corporation bears to the whole of the subscribed capital stock or shares of the corporation, for the recovery of which joint or several actions may be instituted and prosecuted; and in any such action against any of the stockholders or members of a corporation the court must ascertain and determine the proportion of the debt which is the subject of the suit for which each of the stockholders or members who are defendants in the action are severally liable, and judgment must be given severally in conformity therewith. If any stockholder or member of a corporation pays his proportion of any debt due by such corporation he is released and discharged from any further individual or personal liability for such debt. Stock held as collateral security, or by a trustee, or in any other representative capacity, does not make the holder thereof a stockholder, but the pledgor or person or estate represented is the stockholder.

SEC. 323. All corporations for profit must issue certificates for stock when fully paid up, signed by the president and secretary, and may provide, in their by-laws, for issuing certificates prior to the full payment under such restrictions and for such purposes as their by-laws may provide.

SEC. 324. Whenever the capital stock of any corporation is divided into shares, and certificates therefor are

issued, such shares of stock are personal property, and may be transferred by indorsement by the signature of the proprietor, or his attorney or legal representative, and delivery of the certificate; but such transfer is not valid, except between the parties thereto, until the same is so entered upon the books of the corporation as to show the names of the parties by and to whom transferred, the number or designation of the shares, and the date of the transfer.

SEC. 325. Shares of stock in corporations held or owned by a married woman may be transferred by her, her agent, or attorney, without the signature of her husband, in the same manner as if such married woman were a *femme sole.* All dividends payable upon any shares of stock of a corporation held by a married woman may be paid to such married woman, her agent, or attorney, in the same manner as if she were unmarried, and it is not necessary for her husband to join in a receipt therefor; and any proxy or power given by a married woman, touching any shares of stock of any corporation owned by her, is valid and binding without the signature of her husband, the same as if she were unmarried.

SEC. 326. In all transfers of shares of stock in corporations, on behalf of owners residing out of the state, the president, secretary, or directors of such corporation, before entering such transfer on the books of the corporation or issuing the certificate therefor to the transferee, must require from such attorney, or from the person claiming under such transfer, a bond of indemnity, with two sureties satisfactory to the officers of the corporation, or if not so satisfactory, then approved by the district judge of the district in which the principal office of the corporation is situated, conditioned to protect such corporation against any liability to the legal representatives of the owner of such stock in case of his or her death before such transfer; and in case of refusal to furnish such bonds upon request, such transfer is utterly void as against the corporation.

ART. II.—*Assessments of stock.*

Sec.
331. Directors may levy assessments.
332. Limitation. How levied.
333. Levy of assessment. Old assessment remaining unpaid.
334. What order shall contain.
335. Notice of assessment. Form.
336. Publication and service.
337. Delinquent notice. Form.
338. Contents of notice.
339. How published.
340. Jurisdiction acquired, how.
341. Sale to be by public auction.
342. Highest bidder to be the purchaser.
343. In default of bidders corporation may purchase.
344. Disposition of stock purchased by corporation.
345. Extension of time of delinquent sale.
346. Assessments shall not be invalidated.
347. Action for recovery of stock, and limitation thereof.
348. Affidavits of publication. Affidavits of sale. To be filed.
349. Waiver of sale. Action to recover assessment.

SECTION 331. The directors of any corporation formed under the laws of this state, for the purpose of paying expenses, conducting business, or paying debts, may levy and collect assessments upon the capital stock thereof, in the manner and form and to the extent provided herein.

SEC. 332. No one assessment must exceed ten per cent. of the amount of the capital stock named in the articles of incorporation, except in the cases in this section otherwise provided for as follows:

1. If the whole capital of a corporation has not been paid up, and the corporation is unable to meet its liabilities or to satisfy the claims of its creditors, the assessment may be for the full amount unpaid upon the capital stock; or if a less amount is sufficient, then it may be for such a percentage as will raise that amount.

2. The directors of railroad corporations may assess the capital stock in installments of not more than ten per cent. per month, unless in the articles of incorporation it is otherwise provided.

3. The directors of fire or marine insurance corporations may assess such a percentage of the capital stock as they deem proper.

SEC. 333. No assessment must be levied while any portion of a previous one remains unpaid, unless:

1. The power of the corporation has been exercised in accordance with the provisions of this article for the purpose of collecting such previous assessment;

2. The collection of the previous assessment has been enjoined; or,

3. The assessment falls within the provisions of either the first, second, or third subdivision of section 332.

SEC. 334. Every order levying an assessment must specify the amount thereof, when, to whom, and where payable; fix a day, subsequent to the full term of publication of the assessment notice, on which the unpaid assessments shall be delinquent, not less than thirty nor more than sixty days from the time of making the order levying the assessment; and a day for the sale of delinquent stock, not less than fifteen nor more than sixty days from the day the stock is declared delinquent.

SEC. 335. Upon the making of the order, the secretary shall cause to be published a notice thereof, in the following form:

[Name of corporation in full. Location of principal place of business.]

NOTICE is hereby given, that at a meeting of the directors, held on the [date], an assessment of [amount] per share was levied upon the capital stock of the corporation, payable [when, to whom, and where]. Any stock

upon which this assessment shall remain unpaid on the [day fixed] will be delinquent and advertised for sale at public auction, and, unless payment is made before, will be sold on the [day appointed], to pay the delinquent assessment, together with costs of advertising and expenses of sale.

[Signature of secretary, with location of office.]

SEC. 336. The notice must be published once each week for four successive weeks, in some daily or weekly paper published at the place designated in the articles of incorporation as the principal place of business, and also in some paper published in the county in which the works of the corporation are situated, if a paper is published therein. If the works of the corporation are not situated within some state or territory of the United States, then publication in a paper of the place where situated is not necessary. If there is no newspaper published at the place designated as the principal place of business of the corporation, then the publication must be made in the newspaper published in an adjoining county. The notice may be served by delivering a copy thereof, certified by the secretary, to each stockholder personally; and in case of such service upon all the stockholders of the corporation, no notice by publication is necessary, but such personal notice is sufficient.

SEC. 337. If any portion of the assessment mentioned in the notice remains unpaid on the day specified therein for declaring the stock delinquent, the secretary must, unless otherwise ordered by the board of directors, cause to be published in the same papers in which the notice hereinbefore provided for shall have been published, a notice substantially in the following form:

[Name in full. Location of principal place of business.]

NOTICE.—There is delinquent upon the following described stock, on account of assessment levied on the [date] (and assessments levied previous thereto, if any), the several amounts set opposite the names of the respective shareholders, as follows: [Names, number of certificate, number of shares, amount.] And in accordance with law (and an order of the board of directors, made on the [date], if any such order shall have been made), so many shares of each parcel of such stock as may be necessary will be sold, at the [particular place], on the [date], at [the hour] of such day, to pay delinquent assessments thereon, together with costs of advertising and expenses of the sale.

[Name of secretary, with location of office.]

SEC. 338. The notice must specify every certificate of stock, the number of shares it represents, and the amount due thereon, except where certificates may not have been issued to parties entitled thereto, in which case the number of shares and amount due thereon, together with the fact that the certificates for such shares have not been issued, must be stated.

SEC. 339. The notice, when published in a daily paper, must be published for ten days, excluding Sundays and holidays, previous to the day of sale. When published in a weekly paper, it must be published in each issue for two weeks previous to the day of sale. The first publication of all delinquent sales must be at least fifteen days prior to the day of sale.

SEC. 340. By the publication of the notice, the corporation acquires jurisdiction to sell and convey a perfect title to all of the stock described in the notice of sale upon which any portion of the assessment or costs of advertising remains unpaid at the hour appointed for the sale, but must sell no more of such stock than is necessary to pay the assessments due and costs of sale.

SEC. 341. On the day, at the place, and at the time appointed in the notice of sale, the secretary must, unless otherwise ordered by the directors, sell or cause to be sold at public auction, to the highest bidder for cash, so many shares of each parcel of the described stock as may be necessary to pay the assessment and charges thereon, according to the terms of sale; if payment is made before the time fixed for sale, the party paying is only required to pay the actual costs of advertising in addition to the assessment.

SEC. 342. The person offering at such sale to pay the assessment and costs for the smallest number of shares or fraction of a share is the highest bidder, and the stock purchased must be transferred to him on the stock-books of the corporation, on payment of the assessment and costs.

SEC. 343. If, at the sale of stock, no bidder offers the amount of the assessments and costs and charges due, the same may be bid in and purchased by the corporation, through the secretary, president, or any director thereof, at the amount of the assessments, costs, and charges due; and the amount of the assessments, costs, and charges must be credited as paid in full on the books of the corporation, and entry of the transfer of the stock to the corporation must be made on the books thereof. While the stock remains the property of the corporation it is not assessable, nor must any dividends be declared thereon; but all assessments and dividends must be apportioned upon the stock held by the stockholders of the corporation.

SEC. 344. All purchases of its own stock made by any corporation vest the legal title to the same in the corporation; and the stock so purchased is held subject to the control of the stockholders, who may make such disposition of the same as they deem fit, in accordance with the by-laws of the corporation or vote of a majority of all the remaining shares. Whenever any portion of the capital stock of a corporation is held by the corporation by purchase, a majority of the remaining shares is a majority of the stock for all purposes of election or voting on any question at a stockholders' meeting.

SEC. 345. The date fixed in any notice of assessment or notice of delinquent sale, published according to the

provisions hereof, may be extended from time to time for not more than thirty days, by order of the directors entered on the records of the corporation; but no order extending the time for the performance of any act specified in any notice is effectual unless notice of such extension or postponement is appended to and published with the notice to which the order relates.

SEC. 346. No assessment is invalidated by a failure to make publication of the notices hereinbefore provided for, nor by the non-performance of any act required in order to enforce the payment of the same; but in case of any substantial error or omission in the course of proceedings for collection, all previous proceedings, except the levying of the assessment, are void, and publication must be begun anew.

SEC. 347. No action must be sustained to recover stock sold for delinquent assessments, upon the ground of irregularity in the assessment, irregularity or defect of the notice of sale, or defect or irregularity in the sale, unless the party seeking to maintain such action first pays or tenders to the corporation, or the party holding the stock sold, the sum for which the same was sold, together with all subsequent assessments which may have been paid thereon and interest on such sums from the time they were paid; and no such action must be sustained unless the same is commenced by the filing of a complaint and the issuing of a summons thereon within six months after such sale was made.

SEC. 348. The publication of notices required by this article may be proved by the affidavit of the printer, foreman, or principal clerk of the paper in which the same was published; and the affidavit of the secretary or auctioneer is primary evidence of the time and place of sale, of the quantity and particular description of the stock sold, and to whom and for what price, and of the fact of the purchase money being paid. The affidavits must be filed in the office of the corporation, and copies of the same, certified by the secretary thereof, are primary evidence of the facts therein stated. Certificates signed by the secretary and under the seal of the corporation are primary evidence of the contents thereof.

SEC. 349. On the day specified for declaring the stock delinquent, or at any time subsequent thereto and before the sale of the delinquent stock, the board of directors may elect to waive further proceedings under this chapter for the collection of delinquent assessments, or any part or portion thereof, and may elect to proceed by action to recover the amount of the assessment and the costs and expenses already incurred, or any part or portion thereof.

CHAP. III.—CORPORATE POWERS.

ART. I.—General powers.
ART. II.—Records.
ART. III.—Examination of corporation.
ART. IV.—Judgment against and sale of corporate property.

ART. I.—*General powers.*

Sec.
354. Powers of corporation.
355. Limitation of powers.
356. Banking expressly prohibited.
357. Misnomer does not invalidate instrument.
358. Corporation to organize within one year.
359. Increasing and diminishing capital stock, how.
360. Corporations may acquire real property, and how much.

SECTION 354. Every corporation, as such, has power:

1. Of succession, by its corporate name, for the period limited; and when no period is limited, perpetually;
2. To sue and be sued, in any court;
3. To make and use a common seal, and alter the same at pleasure;
4. To purchase, hold, and convey such real and personal estate as the purposes of the corporation may require, not exceeding the amount limited in this part;
5. To appoint such subordinate officers or agents as the business of the corporation may require, and to allow them suitable compensation;
6. To make by-laws, not inconsistent with any existing law, for the management of its property, the regulation of its affairs, and for the transfer of its stock;
7. To admit stockholders or members, and to sell their stock or shares for the payment of assessments or installments;
8. To enter into any obligations or contracts essential to the transaction of its ordinary affairs, or for the purposes of the corporation.

SEC. 355. In addition to the powers enumerated in the preceding section, and to those expressly given in that title of this part under which it is incorporated, no corporation shall possess or exercise any corporate powers except such as are necessary to the exercise of the powers so enumerated and given.

SEC. 356. Nor corporation shall create or issue bills, notes, or other evidences of debt, upon loans or otherwise, for circulation as money.

SEC. 357. The misnomer of a corporation in any written instrument does not invalidate the instrument, if it can be reasonably ascertained from it what corporation is intended.

SEC. 358. If a corporation does not organize and commence the transaction of its business or the construction of its works within one year from the date of its incorporation, its corporate powers cease. The due incorporation of any company, claiming in good faith to be a corporation under this part, and doing business as such, or its right to exercise corporate powers, shall not be inquired into, collaterally, in any private suit to which such *de facto* corporation may be a party; but such inquiry may be had at the suit of the state on information of the attorney-general.

SEC. 359. Every corporation may increase or diminish its capital stock as in this section provided:

1. By a majority vote of the directors there may be called a meeting of the stockholders, to be convened for the purpose of increasing or of diminishing the capital stock.

2. Personal notice of the time and place of such meeting, and the object thereof, must be served on each stockholder resident in this state; or, in lieu thereof, the notice must be published in every issue of a newspaper published in the county where the principal place of business is located, for four weeks successively.

3. The notice must also contain the amount to which it is proposed to increase or diminish the capital stock.

4. The capital stock must in no case be diminished to an amount less than the indebtedness of the corporation or the estimated cost of the works which it may be the object or purpose of the corporation to construct.

5. At least four-fifths of all the capital stock must be represented at such meeting, and at least two-thirds of the entire capital stock must vote in favor of such increase or diminution before the same is effected.

6. A certificate, signed and verified by the chairman and secretary of the meeting, must be made, showing a strict compliance with all the requirements of this section, the amount to which the capital stock has been increased or diminished, the amount of stock (and by whom held) represented at the meeting, the vote by which the object was accomplished, the amount of capital stock actually paid in, and the amount of all debts and liabilities of the corporation, and how secured.

7. This certificate must be subscribed by a majority of the directors and duplicates made, one to be filed in the office of the county clerk and one in the office of the secretary of state, as provided for original articles of incorporation, and thereupon the capital stock is so increased or diminished.

SEC. 360. No corporation shall acquire or hold any more real estate than may be absolutely necessary for the use of the business conducted or the construction of their works, except as specially provided. A corporation organized for any purpose specified in subdivisions 3, 4, 5, 7, 8, and 15 of section 286 may acquire real property as provided in Title VII, Part III, Code of Civil Procedure, when needed for the uses and purposes therein mentioned.

ART. II.—*Records.*

Sec.
377. Records, of what, and how kept.
378. Other records to be kept by corporations for profit, and others.

SECTION 377. All corporations for profit are required to keep a record of all their business transactions; a journal of all meetings of their directors, members, or stockholders, with the time and place of holding the same, whether regular or special, and if special, its object, how authorized, and the notice thereof given. The record must embrace every act done or ordered to be done; who were present, and who absent; and, if requested by any director, member, or stockholder, the time shall be noted when he entered the meeting or obtained leave of absence therefrom. On a similar request, the ayes and noes must be taken on any proposition, and a record thereof made. On similar request, the protest of any director, member, or stockholder to any action or proposed action must be entered in full; all such records to be open to the inspection of any director, member, stockholder, or creditor of the corporation.

SEC. 378. In addition to the records required to be kept by the preceding section, corporations for profit must keep a book, to be known as the "stock and transfer book", in which must be kept a record of all stock; the names of the stockholders or members, alphabetically arranged; installments paid or unpaid; assessments levied and paid or unpaid; a statement of every alienation, sale, or transfer of stock made, the date thereof, and by and to whom; and all such other records as the by-laws prescribe. Corporations for religious and benevolent purposes must provide in their by-laws for such records to be kept as may be necessary. Such stock and transfer book must be kept open to the inspection of any stockholder, member, or creditor.

ART. III.—*Examination of corporations, etc.*

Sec.
382. Examination into affairs of corporation, how made by officers of state.
383. Examination made by the legislature.
384. Chapter and article may be repealed.

SECTION 382. The attorney-general or district attorney, whenever and as often as required by the governor, must examine into the affairs and condition of any corporation in this state, and report such examination, in writing, together with a detailed statement of facts, to the governor, who must lay the same before the legislature; and for that purpose the attorney-general or district attorney may administer all necessary oaths to the directors and officers

of any corporation, and may examine them on oath in relation to the affairs and condition thereof, and may examine the books, papers, and documents belonging to such corporation, or appertaining to its affairs and condition.

SEC. 383. The legislature, or either branch thereof, may examine into the affairs and condition of any corporation in this state at all times; and, for that purpose, any committee appointed by the legislature, or either branch thereof, may administer all necessary oaths to the directors, officers, and stockholders of such corporation, and may examine them on oath in relation to the affairs and condition thereof; and may examine the safes, books, papers, and documents belonging to such corporation, or pertaining to its affairs and condition, and compel the production of all keys, books, papers, and documents by summary process, to be issued on application to any court of record or any judge thereof, under such rules and regulations as the court may prescribe.

SEC. 384. The legislature may at any time amend or repeal this part, or any title, chapter, article, or section thereof, and dissolve all corporations created thereunder; but such amendment or repeal does not, nor does the dissolution of any such corporation, take away or impair any remedy given against any such corporation, its stockholders or officers, for any liability which has been previously incurred.

ART. IV.—*Judgment against and sale of corporate property.*

Sec.
388. Franchise may be treated as property and sold under execution.
389. Purchaser to transact business of corporation.
390. Purchaser may recover penalties, etc.
391. Corporation to retain powers after sale.
392. Redemption of franchise.
393. When proceedings under execution may be held.

SECTION 388. For the satisfaction of any judgment against a corporation organized for profit, its franchise and all the rights and privileges thereof may be levied upon and sold under execution, in the same manner and with like effect as any other property.

SEC. 389. The purchaser at the sale must receive a certificate of purchase of the franchise, and be immediately let into the possession of all property necessary for the exercise of the powers and the receipt of the proceeds thereof, and must thereafter conduct the business of such corporation, with all its powers and privileges, and subject to all its liabilities, until the redemption of the same, as hereinafter provided.

SEC. 390. The purchaser or his assignee is entitled to recover any penalties imposed by law and recoverable by the corporation for an injury to the franchise or property thereof, or for any damages or other cause, occurring during the time he holds the same, and may use the name of the corporation for the purpose of any action necessary to recover the same. A recovery for damages or any penalties thus had is a bar to any subsequent action by or on behalf of the corporation for the same.

SEC. 391. The corporation whose franchise is sold, as in this article provided, in all other respects retains the same powers, is bound to the discharge of the same duties, and is liable to the same penalties and forfeitures as before such sale.

SEC. 392. The corporation may, at any time within one year after such sale, redeem the franchise by paying or tendering to the purchaser thereof the sum paid therefor, with ten per cent. interest thereon, but without any allowance for the toll which he may in the mean time have received; and upon such payment or tender the franchise and all the rights and privileges thereof revert and belong to the corporation, as if no such sale had been made.

SEC. 393. The levy and sale of any franchise under execution may be had in any county in which the president or any director, the treasurer, or the secretary of the corporation may reside, or in which the corporation has its principal place of business.

CHAP. IV.—EXTENSION AND DISSOLUTION OF CORPORATIONS.

Sec.
399. Proceedings to disincorporate.
400. On dissolution, directors to be trustees for creditors.
401. Any corporation may extend its corporate existence, how.
402. How corporations may continue their existence.
403. Title I to apply to all corporations, with certain exceptions.

SECTION 399. The dissolution of corporations is provided for:

1. If involuntary, in Chapter V of Title X, Part II, of the Code of Civil Procedure;
2. If voluntary, in Title VI, Part III, of the Code of Civil Procedure.

SEC. 400. Unless other persons are appointed by the court, the directors or managers of the affairs of such corporation at the time of its dissolution are trustees of the creditors and stockholders or members of the corporation dissolved, and have full power to settle the affairs of the corporation.

SEC. 401. Every corporation heretofore formed, for any purpose enumerated in this title for which corporations may be formed, for a period of time less than fifty years, may, at any time prior to the expiration of the term of its corporate existence, extend such term to a period not exceeding fifty years from its formation. Such extension must be made at a meeting of the stockholders or members, after such order of the directors and notice thereof,

with such amount of capital stock or number of members represented, and such affirmative vote thereof, as required herein for the increase or diminution of the capital stock, and filing a certificate thereof in the same offices where their articles of incorporation are filed.

SEC. 402. All corporations may continue their existence for an additional period, not exceeding fifty years, by filing a certificate verified by the affidavit of the president and secretary, setting forth that, at a meeting of four-fifths of the members or stock, and on a two-thirds vote thereof, it was determined to continue such corporation for such additional length of time; the meeting of the stockholders or members to be had after notice thereof, published for four weeks in some newspaper in the county where the principal office of the corporation is located, giving the time and place of meeting; or, in lieu thereof, personal notice of such time and place of meeting may be served on all stockholders or members resident in this state—the notice to specify the object of the meeting and the length of time for which it is proposed to continue the corporation.

SEC. 403. The provisions of this title are applicable to every corporation, unless such corporation is excepted from its operation, or unless a special provision is made in relation thereto inconsistent with some provision in this title, in which case the special provision prevails.

AN ACT in relation to foreign corporations. (Approved April 1, 1872; Civil Code, p. 91.)

SECTION 1. Every corporation heretofore created by the laws of any other state and doing business in this state shall, within one hundred and twenty days after the passage of this act, and any corporation hereafter created and doing business in this state, within sixty days from the time of commencing to do business in this state, designate some person residing in the county in which the principal place of business of said corporation in this state is, upon whom process issued by authority of or under any law of this state may be served, and within the time aforesaid shall file such designation in the office of the secretary of state; and a copy of such designation, duly certified by said officer, shall be evidence of such appointment; and it shall be lawful to serve on such person so designated any process issued as aforesaid. Such service shall be made on such person in such manner as shall be prescribed in case of service required to be made on foreign corporations, and such service shall be deemed to be a valid service thereof.

SEC. 2. Every corporation created by the laws of any other state which shall fail to comply with the provisions of the first section of this statute shall be denied the benefit of the statutes of this state limiting the time for the commencement of civil actions.

SEC. 3. Every corporation created by the laws of any other state which shall comply with the provisions of the first section of this statute shall be entitled to the benefit of the statutes of this state limiting the time for the commencement of civil actions.

TITLE XI.—MINING CORPORATIONS.

Sec.
584. Removal of the principal office provided for.
585. Directors to file certificates of proceedings in offices of county clerks and secretary of state.
586. Transfer agencies.
587. Stock issued at transfer agencies.

SECTION 584. Every mining corporation may change its principal place of business from one county or city to another, within this state. Before such removal is made the consent in writing of the holders of two-thirds of the capital stock must be obtained and filed in the office of the corporation. When such consent is obtained, notice of the intended removal must be published for thirty days in some newspaper published at the principal place of business of the corporation, giving the name of the county or city where it is then situated, and that to which it is intended to remove it.

SEC. 585. When the publication provided for in the preceding section has been completed, the directors of the corporation must file in the offices of the clerks of the counties from and to which such change has been made, and in the office of the secretary of state, certified copies of the written consent of the stockholders to such change, and of the notice of such change, and proof of publication; also, a certificate that the proposed removal has taken place; and thereafter the principal place of business of the corporation is at the place to which it is removed.

SEC. 586. Any corporation organized in this state for the purpose of mining or carrying on mining operations in or without this state, may establish and maintain agencies in other states of the United States for the transfer and issuing of their stock; and a transfer or issue of the same at any such transfer agency, in accordance with the provisions of its by-laws, is valid and binding as fully and effectually for all purposes as if made upon the books of such corporation at its principal office within this state. The agencies must be governed by the by-laws and the directors of the corporation.

NOTE.—Stats. 1863-'64, p. 429, secs. 1, 3.

SEC. 587. All stock of any such corporation, issued at a transfer agency, must be signed by the president and secretary of the corporation, and countersigned at the time of its issue by the agent having charge of the transfer agency. No stock must be issued at a transfer agency unless the certificate of stock, in lieu of which the same is issued, is at the time surrendered for cancellation.

NOTE.—Stats. 1871-'72, p. 413:

AN ACT for the protection of miners. (Approved March 16, 1872; Civil Code, p. 139.)

SECTION 1. It shall not be lawful for any corporation, association, owner, or owners of any quartz-mining claims within the state of California, where such corporation, association, owner, or owners employ twelve men daily, to sink down into such mine or mines any perpendicular shaft or incline beyond a depth from the surface of three hundred feet without providing a second mode of egress from such mine, by shaft or tunnel, to connect with the main shaft at a depth of not less than one hundred feet from the surface.

SEC. 2. It shall be the duty of each corporation, association, owner, or owners of any quartz-mine or mines in this state, where it becomes necessary to work such mines beyond the depth of three hundred feet, and where the number of men employed therein daily shall be twelve or more, to proceed to sink another shaft or construct a tunnel so as to connect with the main working shaft of such mine as a mode of escape from underground accident or otherwise. And all corporations, associations, owner, or owners of mines as aforesaid, working at a greater depth than three hundred feet, not having any other mode of egress than from the main shaft, shall proceed as herein provided.

SEC. 3. When any corporation, association, owner, or owners of any quartz-mine in this state shall fail to provide for the proper egress as herein contemplated, and where any accident shall occur, or any miner working therein shall be hurt or injured, and from such injury might have escaped if the second mode of egress had existed, such corporation, association, owner, or owners of the mine where the injuries shall have occurred shall be liable to the person injured in all damages that may accrue by reason thereof; and an action at law in a court of competent jurisdiction may be maintained against the owner or owners of such mine, which owners shall be jointly or severally liable for such damages. And where death shall ensue from injuries received from any negligence on the part of the owners thereof, by reason of their failure to comply with any of the provisions of this act, the heirs or relatives surviving the deceased may commence an action for the recovery of such damages as provided by an act entitled "An act requiring compensation for causing death by wrongful act, neglect, or default", approved April twenty-sixth, eighteen hundred and sixty-two.

SEC. 4. This act shall take effect and be in force six months from and after its passage.

NOTE.—Stats. 1871-'72, p. 443:

AN ACT supplemental to an act entitled An act concerning corporations, passed twenty-second April, one thousand eight hundred and fifty. (Approved March 21, 1872; Civil Code, p. 140.)

SECTION 1. On petition of the majority of the shareholders of any corporation formed for the purpose of mining to the county judge of the county where said corporation has its principal place of business, verified by the signers, to the effect that they are severally the holders on the books of the company of the number of shares set opposite their signatures to the foregoing petition, the county judge shall issue his notice to the shareholders of said company that a meeting of the shareholders will be held, stating the time, not less than five nor more than ten days after the first publication of such notice, and the place of meeting within said county, and the object to be to take into consideration the removal of officers of said company; which notice, signed by the said county judge, shall be published daily in one or more daily newspapers published in said county for at least five days before the time for the meeting.

SEC. 2. At the time and place appointed by said notice those claiming to be shareholders who shall assemble shall proceed to organize by the appointment of a chairman and secretary, and thereupon those claiming to be shareholders shall present proof thereof, and only those showing a right to vote shall take part in the further proceedings. If it appears that at the time appointed, or within one hour thereafter, shareholders of less than one-half the shares are present, no further proceedings shall be had, but the meeting shall be *ipso-facto* dissolved: *Provided, however*, That by a vote of the holders of two-thirds of the capital stock of the corporations aforesaid, the board of trustees may be required to furnish to the meeting a written detailed statement and account of the affairs, business, and property of the corporation; but if the holders of more than two-thirds of the shares are present they shall proceed to vote, the secretary calling the roll and the members voting yea or no, as the case may be. The secretary shall enter the same upon his list, and when he has added up the list and stated the result, he shall sign the same and hand it to the chairman, who shall also sign the same and declare the result.

SEC. 3. If the result of the vote is that the holders of a majority of all the shares of the company are in favor of the removal of one or more of the officers of the company, the meeting shall then proceed to ballot for officers to supply the vacancies thus created. Tellers shall be appointed by the chairman, who shall collect the ballots and deliver them to the secretary, who shall count the same in open session, and, having stated the result of the count in writing, shall sign the same and hand it to the chairman, who shall announce the result to the meeting.

SEC. 4. A report of the proceedings of the meeting shall be made in writing, signed by the chairman and secretary and verified by them, and delivered to the county judge, who shall thereupon issue to each person chosen a certificate of his election, and shall also issue an order requiring that all books, papers, and all property and effects be immediately delivered to the officers elect, and the petition and report, indorsed with the date and fact of the issuance of such certificate and order, shall be delivered to the county clerk to be by him filed in his office, and thereafter the persons thus elected officers shall be the duly-elected officers and hold office until the next regular annual meeting, unless removed under the provisions hereof.

SEC. 5. For all services in these proceedings the county clerk shall receive ten dollars on the issuance of the notice and ten dollars on the issuance of the certificates.

SEC. 6. All acts or parts of acts conflicting with this act are hereby repealed.

SEC. 7. This act shall take effect immediately.

PART II, TITLE II, CHAP. II.—THE TIME OF COMMENCING ACTIONS FOR THE RECOVERY OF REAL PROPERTY. (Hittell's Codes and Stats., vol. 2, p. 951.)

SECTION 318. No action for the recovery of real property, or for the recovery of the possession thereof, can be maintained, unless it appear that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the property in question within five years before the commencement of the action.

SEC. 319. No cause of action, or defense to an action, arising out of the title to real property, or to rents or profits out of the same, can be effectual, unless it appear that the person prosecuting the action, or making the defense, or under whose title the action is prosecuted or the defense is made, or the ancestor, predecessor, or grantor of such person was seized or possessed of the premises in question within five years before the commencement of the act in respect to which such action is prosecuted or defense made.

SEC. 320. No entry upon real estate is deemed sufficient or valid as a claim, unless an action be commenced thereupon within one year after making such entry, and within five years from the time when the right to make it descended or accrued.

SEC. 321. In every action for the recovery of real property, or the possession thereof, the person establishing a legal title to the property is presumed to have been possessed thereof within the time required by law, and the occupation of the property by any other person is deemed to have been under and in subordination to the legal title, unless it appear that the property has been held and possessed adversely to such legal title for five years before the commencement of the action.

PART II, TITLE IX.—OF THE EXECUTION OF THE JUDGMENT IN CIVIL ACTIONS. (Hittel's Codes and Stats., vol. 2, p. 1005.)

CHAP. I.—*The execution.*

SECTION 690. The following property is exempt from execution, except as herein otherwise specially provided:

* * * * * * * * *

5. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlass, derrick, cars, pumps, tools, implements, and appliances necessary for carrying on any mining operations, not exceeding in value the aggregate sum of five hundred dollars; and two horses, mules, or oxen, with their harness; and food for such horses, mules, or oxen for one month, when necessary to be used in any whim, windlass, derrick, car, pump, or hoisting gear. * * *

PART II, TITLE X, CHAP. III.—OF CIVIL ACTIONS. (Hittell's Codes and Stats., vol. 2, p. 1018.)

SECTION 748. In actions respecting mining-claims, proof must be admitted of the customs, usages, or regulations established and in force at the bar or diggings embracing such claim; and such customs, usages, or regulations, when not in conflict with the laws of this state, must govern the decision of the action.

CALIFORNIA CODES, 1873: GENERAL STATUTES CONTINUED IN FORCE AND NOT AFFECTED BY THE PROVISIONS OF THE CODES.

AN ACT to provide for the formation of corporations for certain purposes. (Approved April 14, 1853, p. 214.)

SECTION 1. Corporations for manufacturing, mining, mechanical, mercantile, wharfing, and docking, or chemical purposes, or for the purpose of engaging in any other species of trade, business, or commerce, foreign or domestic, may be formed according to the provisions of this act; such corporations, and the members thereof, being subject to all the conditions and liabilities herein imposed, and to none others.

NOTE.—Amendment approved March 5, 1864, Stats. 1863–'64, p. 149, repealed all acts and parts of acts inconsistent therewith.

SEC. 2. Any three or more persons who may desire to form a company for any one or more of the purposes specified in the preceding section, may make, sign, and acknowledge, before some officer competent to take the acknowledgment of deeds, and file in the office of the county clerk of the county in which the principal place of business of the company is intended to be located, and a certified copy thereof, under the hand of the clerk, and seal of the county court of said county, in the office of the secretary of state, a certificate in writing, in which shall be stated the corporate name of the company, the objects for which the company shall be formed, the amount of its capital stock, the time of its existence, not to exceed fifty years, the number of shares of which the stock shall consist, the number of trustees, and their names, who shall manage the concerns of the company for the first three months, and the names of the city, or town, and county in which the principal place of business of the company is to be located. (Amendment approved March 7, 1859, p. 93.)

SEC. 3. A copy of any certificate of incorporation, filed in pursuance of this act, and certified by the county clerk of the county in which it is filed, or his deputy, or by the secretary of state, shall be received in all courts and places as presumptive evidence of the facts therein stated.

SEC. 4. When the certificate shall have been filed the persons who shall have signed and acknowledged the same, and their successors, shall be a body politic and corporate, in fact and in name, by the name stated in the certificate, and by their corporate name have succession for the period limited, and power:

First. To sue and be sued in any court.

Second. To make and use a common seal, and alter the same at pleasure.

Third. To purchase, hold, sell, and convey such real and personal estate as the purposes of the corporation shall require.

Fourth. To appoint such officers, agents, and servants as the business of the corporation shall require; to define their powers, prescribe their duties, and fix their compensation.

Fifth. To require of them such security as may be thought proper for the fulfillment of their duties, and to remove them at will, except that no trustee shall be removed from office unless by a vote of two-thirds of the whole number of trustees, or by a vote of a majority of the trustees, upon a written request signed by stockholders of two-thirds of the whole stock.

Sixth. To make by-laws not inconsistent with the laws of this state for the organization of the company, the management of its property, the regulation of its affairs, the transfer of its stock, and for carrying on all kinds of business within the objects and purposes of the company.

SEC. 5. The corporate powers of the corporation shall be exercised by a board of not less than three trustees, who shall be stockholders in the company, and a majority of them citizens of the United States and residents of this state, and who shall, after the expiration of the term of the trustees first selected, be annually elected by the stockholders at such time and place, and upon such notice and in such mode, as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he owns shares of stock; and the persons receiving the greatest number of votes shall be trustees. When any vacancy shall happen among the trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as may be provided by the by-laws of the company.

SEC. 6. If it should happen, at any time, that an election of trustees shall not be made on the day designated by the by-laws of the company, the corporation shall not for that reason be dissolved, but it shall be lawful on any other day to hold an election for trustees, in such manner as shall be provided for by the by-laws of the company; and all acts of the trustees shall be valid and binding upon the company until their successors shall be elected.

SEC. 7. A majority of the whole number of trustees shall form a board for the transaction of business, and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

SEC. 8. The first meeting of the trustees shall be called by a notice signed by one or more of the persons named trustees in the certificate, setting forth the time and place of the meeting, which notice shall be either delivered personally to each trustee, or published at least ten days in some newspaper of the county in which is the principal place of business of the corporation, or if no newspaper be published in the county, then in some newspaper nearest thereto.

SEC. 9. The stock of the company shall be deemed personal estate, and shall be transferable in such manner

as shall be prescribed by the by-laws of the company; but no transfer shall be valid, except between the parties thereto, until the same shall have been so entered on the books of the company as to show the names of the parties by and to whom transferred, the number and designation of the shares, and the date of the transfer.

SEC. 10. The trustees shall have power to call in and demand from the stockholders the sums by them subscribed at such times and in such payments or installments as they may deem proper. Notice of each assessment shall be given to the stockholders personally, or shall be published once a week, for at least four weeks, in some newspaper published at the place designated as the principal place of business of the corporation; or if none is published there, in some newspaper nearest to such place. If after such notice has been given any stockholder shall make default in the payment of the assessments upon the shares held by him, so many of such shares may be sold as will be necessary for the payment of the assessment on all the shares held by him. The sale of said shares shall be made as prescribed in the by-laws of the company: *Provided*, That no sale shall be made except at public auction to the highest bidder, after a notice of thirty days, published as above directed in this section; and that at such sale the person who will agree to pay the assessment so due, together with the expenses of advertisement and the other expenses of sale, for the smallest number of whole shares, shall be deemed the highest bidder.

SEC. 11. Whenever any stock is held by any person, as executor, administrator, guardian, or trustee, he shall represent such stock at all meetings of the company, and may vote accordingly as a stockholder.

SEC. 12. Any stockholder may pledge his stock by a delivery of the certificates or other evidence of his interest, but may nevertheless represent the same at all meetings and vote accordingly as a stockholder.

SEC. 13. It shall not be lawful for the trustees to make any dividend, except from the surplus profits arising from the business of the corporation; nor to divide, withdraw, or in any way pay to the stockholders, or any of them, any part of the capital stock of the company; nor to reduce the capital stock, unless in the manner prescribed in this act; and in case of any violation of the provisions of this section, the trustees under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of trustees at the time, or, where not present when the same did happen, shall, in their individual and private capacities, be jointly and severally liable to the corporation, and the creditors thereof in the event of its dissolution, to the full amount so divided, withdrawn, paid out, or reduced: *Provided*, That this section shall not be construed to prevent a division and distribution of the capital stock of the company which shall remain after the payment of all its debts, upon the dissolution of the corporation or the expiration of its charter.

SEC. 14. The total amount of the debts of the corporation shall not at any time exceed the amount of the capital stock actually paid in; and in case of any excess, the trustees under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of trustees at the time, and except those who were not present when the same did happen, shall, in their individual and private capacities, be liable jointly and severally to the said corporation, and, in the event of its dissolution, to any of the creditors thereof, for the full amount of such excess.

SEC. 15. No corporation organized under this act shall, by any implication or construction, be deemed to possess the power of issuing bills, notes, or other evidences of debt for circulation as money.

SEC. 16. Each stockholder shall be individually and personally liable for his proportion of all the debts and liabilities of the company contracted or incurred during the time that he was a stockholder, for the recovery of which joint or several actions may be instituted and prosecuted. In any such action, whether joint or several, it shall be competent for the defendant or defendants, or any or either of them, on the trial of the same, to offer evidence of the payment by him or them, or any or either of them, of any debts or liabilities of such corporations; and upon proof of such payment, the same shall be taken into account and credited to the party or parties making such payment; and judgment shall not be rendered against the party or parties defendant proving such payment for a sum exceeding the amount of his or their proportion of the debts and liabilities of such incorporations, after deducting therefrom the sums proven to have been paid by him, them, or any or either of them, on account thereof.

NOTE.—Amendment approved April 27, 1863, took effect from passage. (Cal. Stats. 1863, p. 736.)

SEC. 17. No person holding stock as executor, administrator, guardian, or trustee, or holding it as collateral security, or in pledge, shall be personally subject to any liability as a stockholder of the company; but the person pledging the stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and the estate and funds in the hands of the executor, administrator, guardian, or trustee shall be liable in like manner and to the same extent as the testator or intestate, or the ward or person interested in the trust fund, would have been if he had been living and competent to act and hold the stock in his own name.

SEC. 18. It shall be the duty of the trustees of every company incorporated under this act to cause a book to be kept, containing the names of all persons, alphabetically arranged, who are or shall become stockholders of the corporation, and showing the number of shares of stock held by them respectively, and the time when they respectively became the owners of such shares; which book, during the usual business hours of the day, on every day except Sunday and the fourth of July, shall be open for the inspection of stockholders and creditors of the company, at the office or principal place of business of the company; and any stockholder or creditor shall have the right to make extracts from such book, or to demand and receive from the clerk or other officer having charge

of such book, a certified copy of any entry made therein; such book or certified copy of any entry shall be presumptive evidence of the facts therein stated, in any action or proceeding against the company or against only one or more stockholders.

SEC. 19. If the clerk or other officer having charge of such book shall make any false entry, or neglect to make any proper entry therein, or shall refuse or neglect to exhibit the same, or to allow the same to be inspected, or extracts to be taken therefrom, or to give a certified copy of an entry therein, as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the party injured a penalty of one hundred dollars and all damages resulting therefrom; and for neglecting to keep such book for inspection, as aforesaid, the corporation shall forfeit to the people the sum of one hundred dollars for every day it shall so neglect, to be sued for and recovered, in the name of the people, by the district attorney of the county in which the principal place of business of the corporation is located.

SEC. 20. Any company incorporated under this act may, by complying with the provisions herein contained, increase or diminish its capital stock to any amount which may be deemed sufficient and proper for the purposes of the corporation; but before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of its debts and liabilities shall exceed the sum to which the capital is proposed to be diminished, such amount shall be satisfied and reduced so as not to exceed the diminished amount of capital.

SEC. 21. Whenever it is desired to increase or diminish the amount of capital stock a meeting of the stockholders may be called by a notice signed by at least a majority of the trustees, and published for at least four weeks in some newspaper published in the county where the principal place of business of the company is located; which notice shall specify the object of the meeting, the time and place where it is to be held, and the amount to which it is proposed to increase or diminish the capital; and a vote of two-thirds of all the shares of stock shall be necessary to an increase or diminution of the amount of the capital stock.

SEC. 22. If, at any meeting so called, a sufficient number of votes has been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital actually paid in, the whole amount of the debts and liabilities of the company, and the amount to which the capital stock is to be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman and secretary of the meeting, certified by a majority of the trustees, and filed, as required by the second section of this act; and when so filed, the capital stock of the corporation shall be increased or diminished to the amount specified in the certificate.

SEC. 23. Upon the dissolution of any corporation formed under this act, the trustees at the time of the dissolution shall be trustees of the creditors and stockholders of the corporation dissolved, and shall have full power and authority to sue for and recover the debts and property of the corporation, by the name of trustees of such corporation, collect and pay the outstanding debts, settle all its affairs, and divide among the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

SEC. 24. Any corporation formed under this act may dissolve and disincorporate itself by presenting to the county judge of the county in which the meetings of the trustees are usually held, a petition to that effect, accompanied by a certificate of its proper officers, and setting forth that, at a general or special meeting of the stockholders, called for that purpose, it was decided by a vote of two-thirds of all the stockholders to disincorporate and dissolve the corporation. Notice of the application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in some newspaper of the county, once a week for four weeks, or, if no newspaper is published in the county, by advertisement posted up for thirty days in three of the most public places in the county. At the time and place appointed, or at any other to which it may be postponed by the judge, he shall proceed to consider the application, and, if satisfied that the corporation has taken the necessary preliminary steps and obtained the necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

SEC. 25. The fifth chapter of an act concerning corporations, passed April twenty-second, one thousand eight hundred and fifty, is repealed; but this repeal shall not be construed to destroy the existence of any company already formed under the provisions of said chapter, nor to affect any right acquired or liability incurred under the same; but as to all such companies the provisions of said chapter shall continue in full force, except in those instances in which any company heretofore incorporated may avail itself of the provisions of the next section of this act.

SEC. 26. Any company incorporated under the said fifth chapter of an act concerning corporations, passed April twenty-second, one thousand eight hundred and fifty, may continue its corporate existence under this act by adopting a resolution to that effect by a vote of two-thirds of all the stockholders, and filing a certificate thereof, signed by its proper officers, in the office of the secretary of state and of the county clerk of the county in which is located the principal place of business of the corporation. From the time of filing the certificate the corporation shall be subject only to the provisions of this act, but the change so made shall not affect any right acquired or liability incurred previously by the corporation.

SEC. 27. Corporations formed under this act, and the members thereof, shall not be subject to the conditions and liabilities contained in an act entitled "An act concerning corporations", passed April twenty-second, one thousand eight hundred and fifty.

AN ACT supplementary to the foregoing act. (Approved March 27, 1857, p. 224.)

SECTION 1. It shall be the duty of the trustees of every company incorporated under this act for the purpose of ditching, mining, or conveying water for mining purposes, to cause a book to be kept containing the names of all persons, alphabetically arranged, who are or shall become stockholders of the corporation, and showing the number and designation of shares of stock held by them respectively, and the time when they respectively became the owners of such shares; also a book or books in which shall be entered at length, in a plain and simple manner, all by-laws, orders, and resolutions of the company and board of trustees, and the manner and time of their adoption; which books, during the business hours of the day, Sundays and fourth of July excepted, shall be open for the inspection of stockholders and the creditors of the company, each individual stockholder, and their duly-authorized agents and attorneys, at the office or principal place of business of the company: *Provided*, That the office and books of every such company shall be kept, and the books of such company shall be open, as aforesaid, in the county in which their business is transacted, and every stockholder or creditor, as aforesaid, or their agents or attorneys, shall have the right to make extracts from such books, or, upon payment of reasonable clerk's fees therefor, to demand and receive from the clerk, or other officer having the charge of such books, a certified copy of any entry made therein; such book or certified copy of any entry shall be presumptive evidence of the facts therein stated, in any action or proceeding against the company, or any one or more stockholders.

SEC. 2. If the clerk, or other officer having charge of such books, shall make any false entry, or neglect to make any proper entry therein, or shall refuse or neglect to exhibit the same, or allow the same to be inspected, or extracts to be taken therefrom, or to give a certified copy of any entry therein, as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the party injured a penalty of two hundred and one dollars and all damages resulting therefrom, to be recovered in any court of competent jurisdiction in this state; and for neglect to keep such books for inspection, and at the place provided for in the last section, the corporation shall forfeit to the people of the state of California the sum of two hundred and one dollars for every day they shall so neglect, to be sued for and recovered before any court of competent jurisdiction in the county in which the principal business of such company is transacted; and it shall be the duty of the district attorney within and for such county to prosecute such action, in the name of, and for the benefit of, the people of the state of California: *And it is further provided*, That in case any such incorporated company shall refuse or neglect, for the space of one full year after the passage of this act, to comply with the provisions of this and the preceding section, then, upon the showing of such facts by petition of any person aggrieved thereby, and due proof thereof, before the county judge of the county in which such company's principal business is transacted, after such company shall have been duly notified thereof, by summons, to be issued by said judge, citing such company to appear before such judge, at a time and place therein mentioned, which shall not be less than ten nor more than thirty days from the date of such summons, such company shall, by such judge, be declared and decreed to be disincorporated, so far as to deprive said company of all the privileges of this act, but in no manner to affect the remedy of all persons against such company, to be exercised as this act provides: *Provided*, That nothing contained in the provisions of this section concerning the disincorporating of such companies shall be so construed as to prevent the enforcement of the other remedies in this section mentioned at any time after the passage of this act, except as herein provided.

AN ACT amendatory and supplemental to an act entitled "An act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three". (Approved March 7, 1859; Cal. Stats. 1859, p. 93.)

[Section 1 contains the amendment to section 2 of the act of 1853, therein inserted.]

SEC. 2. All corporations heretofore formed under the provisions of the act of which this is amendatory, who have filed a certified copy of the certificate in writing, required to be executed in the first section of this act, in the office of the secretary of state, shall, to all intents and purposes, be as legally incorporated as though a duplicate thereof had been filed in the office of the said secretary of state; and all acts heretofore done by such companies, under their corporate name, in conformity to the laws governing corporations in this state, are hereby made lawful acts.

AN ACT to provide for the formation of corporations for certain purposes. (Approved April 4, 1870; Cal. Codes, p. 228.)

SECTION 1. Corporations for any trading, manufacturing, mechanical, or other lawful business or purpose may be formed under the provisions of this act; such corporations and its members to be subject to the duties, conditions, and liabilities herein imposed, and no others.

SEC. 2. The provisions of sections two, three, four, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen,

fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, and twenty-seven of an act entitled An act to provide for the formation of corporations for certain purposes, passed April fourteenth, one thousand eight hundred and fifty-three, and of all acts amendatory of or supplementary to said sections, shall apply to corporations formed under this act.

SEC. 3. The corporate powers of the corporation shall be exercised by a board of not less than three trustees, who shall be stockholders in the company, and a majority of them citizens of the United States and residents of this state, and who shall, after the expiration of the term of the trustees first selected, be annually elected by the stockholders, at such time and place, and upon such notice, and in such mode, as shall be directed by the by-laws of the company; but such election shall be by ballot, either in person or by proxy, and the persons receiving the greatest number of votes shall be trustees. Vacancies among the trustees, by death, resignation, or otherwise, shall be filled for the remainder of the year in such manner as the by-laws prescribe, and the by-laws shall be made or altered or amended by the stockholders at their annual meeting, or at such other meeting of the stockholders as may be provided for in a by-law made for this particular purpose.

SEC. 4. No member of such corporation shall be entitled to hold or claim any interest therein exceeding the sum of two thousand dollars, nor shall any member, upon any subject, be entitled to more than one vote.

SEC. 5. No certificate of shares shall be issued to any person until the full amount thereof shall have been paid in cash; no person shall be allowed to become a stockholder, except by the consent of the board of trustees, entered in the minutes of their proceedings.

SEC. 6. At the annual meeting of the stockholders in each year, the board of trustees shall present a report of the condition of the corporation, containing the amount of the capital stock, the par value of the shares, the number of shares issued, the names and residence of the stockholders, and the number of shares owned by each; the kind and amount of the property held by the corporation, its liabilities, and the receipts and expenditures during the preceding year; which report shall be signed and sworn to by the president and secretary of the corporation, and filed in the office of the county clerk of the county in which the principal place of business of the corporation is located, and a copy thereof, certified by said clerk, shall be filed in the office of the secretary of state.

SEC. 7. The board of trustees shall also, when required in writing by one-third of the stockholders, make out written reports of the exact situation and business of the corporation.

SEC. 8. For failure to make the reports required in the two preceding sections the corporation shall be subject to a penalty of five hundred dollars, and an additional five hundred dollars for every month that such corporation shall thereafter continue to transact business.

SEC. 9. The certificate of incorporation shall substantially state, in addition to the other requirements of the law, that the corporation is formed under this act: otherwise, the corporation shall not be deemed to be formed under this act.

SEC. 10. This act shall be in force immediately after its passage.

ART. XI.—*Canal companies.*

AN ACT to authorize the incorporation of canal companies and the construction of canals. (Approved May 14, 1862, p. 249.)

SECTION 1. Corporations may be formed under the provisions of an act entitled An act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three, and the several acts amendatory thereof and supplemental thereto, for the following purposes: The construction of canals, for the transportation of passengers and freights, or for the purpose of irrigation or water-power, or for the conveyance of water for mining or manufacturing purposes, or for all of such purposes.

SEC. 2. The right is hereby granted to any company organized under the authority of this act to construct all works necessary to the objects of the company, to make all surveys necessary to the selection of the best site for the works and of the lands required therefor, and to acquire all lands, waters not previously appropriated, and other property necessary to the proper construction, use, supply, maintenance, repairs, and improvements of the works, in the manner and by the mode of proceedings prescribed in an act entitled An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, passed May twentieth, eighteen hundred and sixty-one.

SEC. 3. Every company organized as aforesaid shall have power, and the same is hereby granted, to make rules and regulations for the management and preservation of their works, not inconsistent with the laws of this state, and for the use and distribution of the waters, and the navigation of the canals, and to establish, collect, and receive rates, water rents, or tolls, which shall be subject to regulation by the board of supervisors of the county or counties in which the work is situated, but which shall not be reduced by the supervisors so low as to yield to the stockholders less than one and one-half per cent. per month upon the capital actually invested.

SEC. 4. Every company organized under the authority of this act shall construct and keep in good repair, at all times, for public use, across their canal, all of the bridges that the board of supervisors of the county or counties in which such canal is situated shall require; said bridges being on the lines of public highways, and necessary for public use in connection with such highways.

SEC. 5. The provisions of this act shall not apply to the counties of Nevada, Placer, Amador, Sierra, Klamath, Del Norte, Trinity, Butte, Plumas, and Calaveras. (Amendment approved February 3, 1866; Cal. Stats. 1865–'66, p. 53.)

NOTE.—The counties of Tuolumne and Lassen, added by amendment of 1868, and the counties of Placer and Butte, omitted from the same, approved March 12, 1868, p. 134, took effect from passage, the latter amendment superseding amendment approved March 31, 1866. (Cal. Stats., p. 604.)

SEC. 6. This act shall take effect from and after its passage.

NOTE.—The provisions of an act for the incorporation of water companies, approved April 22, 1858, p. 218, are to apply, so far as the application for condemnation of land, to the act to define and establish the line and width of East street, approved April 2, 1870. (Cal. Stats., p. 651.)

AN ACT to authorize the incorporation of canal companies and provide for the construction of canals and ditches. (Approved April 2, 1870; Cal. Stats. 1869–'70, p. 660.)

SECTION 1. Corporations may be formed under the provisions of the act of April fourteenth, eighteen hundred and sixty-three, entitled An act to provide for the formation of corporations for certain purposes, and of the several acts amendatory thereof and supplementary thereto, for the following purposes, namely: The construction of canals for the transportation of passengers and freights; for the supplying of water for irrigation; for procuring water-power; for conveying water for mining or manufacturing purposes; or for all such purposes combined.

SEC. 2. The right is hereby granted to any company organized under this act, or which may have been organized under preceding acts, to construct all reservoirs, dams, embankments, canals, ditches, and other works necessary to the objects of such company; to make the surveys necessary to the selection of the sites and routes of such works, and to acquire all lands, waters not previously appropriated, and other property required for the proper construction, use, supply, maintenance, repairs, and improvements of the same, in the manner hereinafter provided.

SEC. 3. Any company organized in pursuance of this act, or any company organized under any pre-existing acts for similar purposes, shall have the power to locate or fix upon the line or route of its proposed ditch or canal, and select the site or sites of its proposed dams, embankments, and reservoirs, in conformity with the designation of its engineer or business manager.

SEC. 4. In case the route so fixed upon, or any part thereof, or the site so selected, be upon land owned by individuals, or upon public land possessed and occupied by individuals, and the right to such route or site over or upon such land has not been acquired by agreement with such owners or occupant, then it shall be lawful for such company to present to the county judge of the county wherein such land is situate a petition, verified by an officer or agent of the company, showing that such route or site is necessary to such company; that it passes over or is upon such land, and that a right to the same has not been acquired by agreement with the owner or occupant (naming him) of the land. It shall conclude with a prayer for the appointment of commissioners to assess the damages resulting to such owner or occupant because of the selection and appropriation of such route or site.

SEC. 5. Upon the receipt of the petition mentioned in the foregoing section, the county judge shall make an order directing the clerk of the county court of such county to issue a citation to the owner or occupant of the land described in the petition, requiring him to appear before the county judge, at his chambers, on a day therein named, and show cause why the prayer of the petition should not be granted. The day named in the citation for such appearance shall not be less than ten nor more than thirty days from the date of its issuance. Such citation may be served in the manner provided by law for the service of summons, and in case the owner or occupant of the land should be absent from the state, or it is not known where he or she may be found, and this fact is made to appear by affidavit to the county judge, he shall, by order, direct the same to be served by publication in some newspaper published in the county, in the manner prescribed for the publication of summonses: *Provided*, That the period prescribed in such order for such publication shall in no case exceed two months from the first insertion.

SEC. 6. On the day appointed for the appearance of the owner or occupant of the land, or upon any subsequent day to which the hearing may, for good cause shown, be adjourned, the county judge shall proceed to hear the allegations and proofs of the respective parties; and if upon such hearing he shall be satisfied that the route or site selected over or upon such land is necessary for the promotion of the objects of the company, and that no private agreement has been made by the parties relative thereto, he shall proceed to nominate, as commissioners, three disinterested citizens of the county with power to hear and determine between the parties, and assess the value of the land sought to be condemned.

SEC. 7. Such commissioners shall proceed without unnecessary delay to appoint a day and place upon and at which the respective parties shall appear before them with their witnesses and other proofs, and such commissioners shall have power to compel the attendance of witnesses and to administer to them the necessary oaths: *Provided*, That such owner or occupant shall have at least six days' notice of the time and place of such hearing: *Provided further*, That the said commissioners shall have power to adjourn such hearing from time to time, to enable either of the parties to procure witnesses: *And provided*, That such adjournment shall not exceed in the aggregate ten days: *And provided further*, That such commissioners may, if they deem it proper, visit the locality of such proposed route or site, in company with such witnesses and experts as they may select.

SEC. 8. Within ten days from the hearing by such commissioners, they shall proceed to assess the actual damages accruing to the owner or occupant of the land by reason of the construction thereon of the proposed works, and to report the same in writing to the county judge, who shall immediately cause such report to be filed in the office of the clerk of the county court.

SEC. 9. Within ten days from the filing of such report either party may move, upon good cause shown by affidavits, to vacate and set aside the same; and if set aside, a new commission shall be appointed by the county judge, which shall proceed to hear and determine, in all respects, as is provided in case of the original commission.

SEC. 10. After the lapse of ten days from the filing of such report, if no motion to vacate the same is made, or if, being made, it is denied, or after the lapse of ten days from the filing of the report of the new commission, as provided in the last section, the county judge shall proceed to make an order upon the same, condemning so much of the land as he shall deem necessary for such canal or other works. Such order shall declare the sum to be paid by way of damages by such company, and shall award to such company the right to occupy such land and construct the proposed works upon payment by it to such owner or occupant of the sum so provided, which said order shall be duly filed in the office of the clerk of such county court; and from the date of the payment of such sum to such owner or occupant, the said company shall have full right and authority to enter upon such land, and to proceed with the erection and construction of its proposed works along such route and upon such site.

SEC. 11. The commissioners appointed in pursuance of this act shall each be entitled to receive five dollars per day for every day they shall be actually engaged in the business of the commission; and witnesses summoned and sworn before the same shall receive such fees and mileage as are allowed to witnesses in ordinary proceedings at law.

SEC. 12. Every company organized in pursuance of this act shall construct and keep in good repair, at all times, for public use, the various bridges across any canal or ditch owned by it, required by the board of supervisors of the county wherein such crossing is situated, such bridge being on the line or crossing a public highway or county road, and necessary for public use.

SEC. 13. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 14. This act shall take effect and be in force from and after its passage.

STATUTES OF 1873-'74, 1875-'76, 1877-'78, 1880.

CHAP. CCCCXCVIII.

AN ACT for the protection of coal-mines and coal-miners. (Approved March 27, 1874, p. 726.)

SECTION 1. The owner or agent of every coal-mine shall make, or cause to be made, an accurate map or plan of the workings of such coal-mine, on a scale of one hundred feet to the inch.

SEC. 2. A true copy of which map or plan shall be kept at the office of the owner or owners of the mine, open to the inspection of all persons, and one copy of such map or plan shall be kept at the mines by the agent or other person having charge of the mines, open to the inspection of the workmen.

SEC. 3. The owner or agent of every coal-mine shall provide at least two shafts, or slopes, or outlets, separated by natural strata of not less than one hundred and fifty feet in breadth, by which shafts, slopes, or outlets distinct means of ingress and egress are always available to the persons employed in the coal-mine: *Provided*, That if a new tunnel, slope, or shaft will be required for the additional opening, work upon the same shall commence immediately after the passage of this act, and continue until its final completion, with reasonable dispatch.

SEC. 4. The owner or agent of every coal-mine shall provide and establish for every such mine an adequate amount of ventilation, of not less than fifty-five cubic feet per second of pure air, or thirty-three hundred feet per minute, for every fifty men at work in such mine, and as much more as circumstances may require, which shall be circulated through to the face of each and every working place throughout the entire mine, to dilute and render harmless and expel therefrom the noxious, poisonous gases, to such an extent that the entire mine shall be in a fit state for men to work therein, and be free from danger to the health and lives of the men by reason of said noxious and poisonous gases, and all workings shall be kept clear of standing gas.

SEC. 5. To secure the ventilation of every coal-mine, and provide for the health and safety of the men employed therein, otherwise and in every respect, the owner, or agent, as the case may be, in charge of every coal-mine, shall employ a competent and practical inside overseer, who shall keep a careful watch over the ventilating apparatus, over the air ways, the traveling ways, the pumps and sumps, the timbering, to see, as the miners advance in their excavations, that all loose coal, slate, or rock overhead is carefully secured against falling; over the arrangements for signaling from the bottom to the top, and from the top to the bottom, of the shaft or slope, and all things connected with and appertaining to the safety of the men at work in the mine. He, or his assistants, shall examine carefully the working of all mines generating explosive gases every morning before the miners enter, and shall ascertain that the mine is free from danger, and the workmen shall not enter the mine until such examination has been made and reported, and the cause of danger, if any, be removed.

SEC. 6. The overseer shall see that the hoisting machinery is kept constantly in repair and ready for use, to hoist the workmen in or out of the mine.

SEC. 7. The word "owner" in this act shall apply to lessee as well.

SEC. 8. For any injury to person or property occasioned by any violation of this act, or any willful failure to comply with its provisions, a right of action shall accrue to the party injured for any direct damages he or she may have sustained thereby, before any court of competent jurisdiction.

SEC. 9. For any willful failure or negligence on the part of the overseer of any coal-mine, he shall be liable to conviction of misdemeanor and punished according to law: *Provided*, That if such willful failure or negligence is the cause of the death of any person, the overseer, upon conviction, shall be deemed guilty of manslaughter.

SEC. 10. All boilers used for generating steam in and about coal-mines shall be kept in good order, and the owner or agent thereof shall have them examined and inspected, by a competent boiler maker, as often as once in three months.

SEC. 11. This act shall not apply to opening a new coal-mine.

SEC. 12. This act shall take effect immediately.

CHAP. DCXXVII.

AN ACT for the better protection of the stockholders in corporations formed under the laws of the state of California, for the purpose of carrying on and conducting the business of mining. (Approved March 30, 1874, p. 66.)

SECTION 1. It shall be the duty of the secretary of every corporation formed under the laws of the state of California, for the purpose of mining, to keep the books of such corporation as prescribed by its by-laws: *Provided*, Such by-laws are not inconsistent with the laws of this state. The books of such corporation shall be produced for examination and inspection during the hours of business every day in the year, Sundays and legal holidays excepted, upon the demand of any stockholder holding and presenting a certificate of stock in such corporation, either in his own name or properly indorsed; and the secretary of such corporation shall be required, upon the demand of any stockholder holding stock in such corporation to the amount of five hundred dollars, par value, to have the books of the corporation written up at the end of each month, and shall make out a balance sheet showing the correct financial condition of the corporation; and on or before the tenth day of January and July, of each year, he shall make out a written statement, showing all the business and financial transactions of the corporation for the six months preceding, which statement shall also contain a full description of all property of the corporation and the character and extent of the same; and such statements, together with all papers and records of the corporation, shall be open to examination and inspection upon any demand by such stockholder. All demands of stockholders, as specified in this section, shall be made to the secretary, at the office of the corporation where its principal place of business is located.

SEC. 2. Any owner of stock of the par value of five hundred dollars, in any of the corporations mentioned in section one of this act, shall, at all hours of business or labor on or about the premises or property of such corporation, have the right to enter upon such property and examine the same, either on the surface or under ground. And it is hereby made the duty of any and all officers, managers, agents, superintendents, or persons in charge, to allow any such stockholder to enter upon and examine any of the property of such corporation at any time during the hours of business or labor; and the presentations of certificates of stock in the corporation of the par value of five hundred dollars, to the officer or person in charge, shall be *prima-facie* evidence of ownership and right to enter upon or into, and make examinations of, the property of the corporation.

SEC. 3. The violations of any of the provisions of sections one and two of this act shall subject the trustees of the corporation to a fine of two hundred dollars, and costs of suit, and the expenses of the stockholders so refused, in traveling to and from the property, which may be recovered in any court of competent jurisdiction, either in the county where the property is situated or in the county where the office and principal place of business of the corporation is situated, which said fine shall be imposed and collected for and paid over to the person so refused, together with all moneys collected for the said traveling expenses.

SEC. 4. All acts in conflict with the provisions of this act are hereby repealed.

CHAP. CCCCLVI.

AN ACT to authorize corporations to own and improve the lots and houses in which their business is carried on. (Approved April 1, 1876; Cal. Stats. 1875–'76, p. 653.)

SECTION 1. By unanimous consent of its members or stockholders, any corporation existing under the laws of this state may acquire and hold the lot and house in which its business is carried on, and may improve the same to any extent required for the convenient transaction of its business.

SEC. 2. This act shall take effect immediately.

CHAP. CCCCLXXXI.

AN ACT creating a board of bank commissioners, and prescribing their duties and powers. (Approved March 30, 1878; Cal. Stats. 1877–'78, p. 740.)

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SECTION 8. No savings bank shall receive the license in this act provided for, unless at least fifty per cent. of all its loans shall be secured by first mortgage, or other prior lien, upon real estate situate within this state; such loans, at the date when made, hereafter, not to exceed sixty per cent. of the market value of the security, except when made for the purpose of facilitating the sale of property owned by the corporation. And it shall be unlawful for any savings and loan society, or savings bank, to purchase, invest, or loan its capital, or the money of its depositors, or any part of either, in mining shares or stocks. Any president or managing officer who knowingly consents to a violation of the above provision shall be deemed guilty of a felony.

CHAP. DCXIII.

AN ACT imposing a tax on the issue of certificates of stock corporations. (Approved April 1, 1878; Cal. Stats. 1877–'78, p. 955.)

SECTION 1. It shall be lawful for the secretary of every corporation in the state of California to demand and receive of any person requiring the issue to him of any certificate of stock in such corporation, a fee of ten cents in coin for each certificate, whether such certificate be the original issue or an issue on transfer, and such certificate shall not be delivered by the secretary until such fee shall be paid.

SEC. 2. It shall be the duty of the secretary of every such corporation, on the first Monday in January, April, July, and October of each year, to make returns, under oath, to the tax collector, or officer acting as tax collector, of the number of certificates issued by the corporation of which he is secretary, during the quarter preceding, and pay to such tax collector the sum of ten cents in coin for each and every certificate so issued by said corporation, except that in the city and county of San Francisco such returns and payments shall be made to the license collector, or officer engaged in the collection of licenses in said city and county.

SEC. 3. Such tax collector, or license collector, is hereby authorized and empowered to examine such secretary, under oath, as to the truth of said returns, and to examine, if necessary, the books of such corporation, so far as they relate to the transfer of stock or issue of certificates, and if the returns are not correct, then he is authorized to commence an action against such corporation in any court of competent jurisdiction, in the name of the people of the state of California, for a penalty of one hundred dollars for each certificate issued by such corporation and not so returned under oath, and several penalties may be joined in such action.

SEC. 4. Any person violating the provisions of section two of this act shall be deemed guilty of a misdemeanor, and false swearing to any return provided in section two shall be deemed perjury.

SEC. 5. All moneys collected under the provisions of this act shall be paid by such tax collector, or license collector, into the county treasury, and shall become a part of the general fund, or if there shall in any county be no general fund, then the same shall become a part of such fund as the board of supervisors may direct.

SEC. 6. This act shall take effect on the first Monday in April, 1878.

CHAP. CV.

AN ACT to provide for the establishment and maintenance of a mining bureau. (Approved April 16, 1880; Cal. Stats. 1880, p. 115.)

SECTION 1. There shall be and is hereby established in this state a mining bureau, the principal office of which shall be maintained in the city of San Francisco, at which place there shall be collected by the state mineralogist, and preserved for study and reference, specimens of all the geological and mineralogical substances, including mineral waters, found in this state, especially those possessing economic or commercial value, which specimens shall be marked, arranged, classified, and described, and a record thereof preserved, showing the character thereof and the place from whence obtained. The state mineralogist shall also, as he has opportunity and means, collect, and in like manner preserve at said office, minerals, rocks, and fossils of other states, territories, and countries, and the collections so made shall at all reasonable hours be open to public inspection, examination, and study.

SEC. 2. It shall be the duty of the governor to appoint a citizen of this state having a practical and scientific knowledge of mining and mineralogy to the office of state mineralogist, to hold his said office for the term of four years, or until the appointment and qualification of his successor, who shall take and subscribe the oath of office prescribed by the constitution, and who shall receive for his services a salary of three thousand dollars per annum, to be paid as other officers of the state are paid, and shall also receive his necessary traveling expenses when traveling on the business of his office, to be allowed and audited by the state board of examiners, the whole to be paid out of the mining-bureau fund hereinafter provided for, and not otherwise.

SEC. 3. In addition to the collection, classification, arranging, and preservation of specimens, as provided in the

first section of this act, it shall be the duty of the state mineralogist to make analytical assays as required; and, when the funds in the mining-bureau fund are sufficient therefor, to provide and maintain a library of works on mineralogy, geology, and mining; to arrange in cases such specimens as he may collect; to procure and preserve models and drawings of mining machinery, and of milling machinery used in the reduction of ores; to correspond with established schools of mining and metallurgy, and obtain and preserve for public inspection and use such information respecting improvements in mining and mining machinery as will be of practical value to the people of this state; to visit the several mining districts of each county of the state, from time to time, ascertain and record their history, describe their geological formation and altitudes, the character of the mines and ores, and the general development of the district. At the close of each year he shall make a report in detail to the governor, showing the amount of disbursements of the bureau under his charge, the number of specimens collected, and giving such statistical information in reference to mines and mining as shall be deemed important.

SEC. 4. The state mineralogist may, from time to time, and as the funds in the mining-bureau fund will permit, appoint such assistants as he may deem necessary and proper for the carrying out of the objects of this act, and the efficient provision and maintenance of a bureau of mining information and statistics, and may procure and maintain the necessary rooms and furniture for the office and uses of the bureau in San Francisco; but the entire expenses of the bureau for salaries, assistance, rents, furniture, fuel, and all other things pertaining to the bureau must not, in any one year, be greater than can be paid out of the mining-bureau fund herein provided for.

SEC. 5. For the purpose of establishing a fund for the maintenance of said mining bureau, it shall be the duty of the tax collectors in the several counties in this state, and of the license collector of the city and county of San Francisco, on the second Monday of January, April, July, and October in each year, to transmit by express to the state treasurer all moneys collected by them from mining corporations, or from corporations formed for milling ores, or for supplying water for mining purposes, under or by virtue of the act entitled "An act imposing a tax on the issue of certificates of stock corporations", approved April first, eighteen hundred and seventy-eight, and to forward to the state controller by mail a certificate showing the amount of money so forwarded to the state treasurer, and the date when the same was transmitted, and also showing the names of the several corporations from which the same was received, and the amount received from each. The state treasurer shall receive the amounts so transmitted, and give duplicate receipts therefor, one of which shall be filed with the state controller, and the other shall be returned by mail, or return express, to the collector from whom the money was received; and after paying out of the money so received the charges for the transmission thereof, the amount of which shall be noted on the receipt filed with the state controller, he shall retain the remainder in his hands as a separate fund, to be known as the mining-bureau fund, to be used only in payment of drafts made for the expenses of the mining bureau established under this act, and out of which all the expenses of said bureau shall be paid.

SEC. 6. Such tax collectors and license collector shall hereafter be required to pay into the county treasuries of their respective counties only that portion of the moneys collected by them under the act of the legislature mentioned in the last preceding section which is collected from corporations other than those mentioned in section five of this act.

SEC. 7. This act shall take effect and be in force from and after its passage.

CHAP. CXVII.

AN ACT to promote drainage. (Approved April 23, 1880; Cal. Stats. 1880, p. 123.)

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SECTION 19. The owner or owners or the managing agent of every hydraulic mine or any mine using water to wash the earth or ores for mining purposes, which mine may be embraced in whole or in part within any drainage district to be formed or organized under this act, and of all mines the waters from which carrying slickens, sand, or débris therefrom runs into any such district, shall, on or before the first day of July, A. D. eighteen hundred and eighty, and every year thereafter at the time required for rendering a statement to the assessor for the purpose of assessing for state and county taxes, render to the assessor of the county in which the mine is located a sworn statement showing the number of miners' inches of water (of twenty-four hours' run) used by the mine of which he is in whole or in part owner or the managing agent, for the preceding year ending on the first day of March next preceding the rendition of such statement. The statement shall include also the name and description of the mine. Upon the receipt of such statement from the owner or managing agent of such mines, the assessor shall enter the the same, in a separate column, in the duplicate assessment-book provided for in this act, so that it will show the number of miners' inches of water (of each twenty-four hours' run) used by each of such mines within the county for which he is assessor.

SEC. 20. The board of directors shall, at the same time in October of each year that they levy the tax hereinbefore provided for, levy an assessment upon all hydraulic mines, and upon all mines washing earth or ores with waters running into the district, of one-half of one cent for each miners' inch of water, of each twenty-four hours' run, used during such year, and shall notify the auditor of each county embraced in whole or in part in the district of the

amount so levied, and he shall compute and enter upon the duplicate assessment-book the respective sums to be collected from the respective mines; and the tax collector shall collect said assessment at the same time and the same manner that they collect state and county taxes; and the money so collected shall be paid over in the same manner and at the same time as herein provided for the collection of taxes, and the state treasurer shall place the same to the credit of the "construction fund" of the proper district.

CHAP. CXXI.

AN ACT amendatory of an act entitled "An act for the better protection of the stockholders in corporations, formed under the laws of the state of California, for the purpose of carrying on and conducting the business of mining", approved March thirtieth, eighteen hundred and seventy-four". (Approved April 23, 1880; Cal. Stats. 1880, p. 134.)

SECTION 1. Section one of said act is hereby amended so as to read as follows:

SECTION 1. It shall be the duty of the secretary of every corporation formed under the laws of this state for the purpose of mining, to keep a complete set of books, showing all receipts and expenditures of such corporation, the sources of such receipts, and the object of such expenditures, and also all transfers of stock. All books and papers shall at all times, during business hours, be open to the inspection of any *bona fide* stockholder, and if any stockholder shall at any time so request, it shall be the duty of the secretary to attend at the office of said company at least one hour in the day out of regular business hours, and exhibit such books and papers of the company as such stockholder may desire, who shall be entitled to be accompanied by an expert; and he shall also be entitled to make copies or extracts from any such books or papers. It shall be the duty of the directors, on the first Monday of each and every month, to cause to be made an itemized account or balance sheet for the previous month, embracing a full and complete statement of all disbursements and receipts, showing from what sources such receipts were derived, and for what and to whom such disbursements or payments were made, and for what object or purpose the same were made; also all indebtedness or liabilities incurred or existing at the time, and for what the same were incurred, and the balance of money, if any, on hand. Such account or balance sheet shall be verified under oath by the president and secretary, and posted in some conspicuous place in the office of the company. It shall be the duty of the superintendent, on the first Monday of each month, to file with the secretary an itemized account, verified under oath, showing all receipts and disbursements made by him for the previous month, and for what said disbursements were made. It shall also be the duty of the superintendent to file with the secretary a weekly statement, under oath, showing the number of men employed under him, and for what purpose, and the rate of wages paid to each one. He shall attach to such account a full and complete report, under oath, of the work done in said mine, the amount of ore extracted, from what part of the mine taken, the amount sent to mill for reduction, its assay value, the amount of bullion received, the amount of bullion shipped to the office of the company or elsewhere, and the amount, if any, retained by the superintendent. It shall also be his duty to forward to the office of the company a full report, under oath, of all discoveries of ores or mineral-bearing quartz made in said mine, whether by boring, drifting, sinking, or otherwise, together with the assay value thereof. All accounts, reports, and correspondence from the superintendent shall be kept in some conspicuous place in the office of said company, and be open to the inspection of all stockholders.

SEC. 2. Section two of said act is hereby amended so as to read as follows:

SEC. 2. Any *bona fide* stockholder of a corporation formed under the laws of this state for the purpose of mining shall be entitled to visit, accompanied by his expert, and examine the mine or mines owned by such corporation, and every part thereof, at any time he may see fit to make such visit and examination; and when such stockholder shall make application to the president of such corporation, he shall immediately cause the secretary thereof to issue and deliver to such applicant an order, under the seal of the corporation, directed to the superintendent, commanding him to show and exhibit such parts of said mine or mines as the party named in said order may desire to visit and examine. It shall be the duty of the superintendent, on receiving such order, to furnish such stockholder every facility for making a full and complete inspection of said mine or mines, and of the workings therein; it shall be his duty also to accompany said stockholder, either in person, or to furnish some person familiar with said mine or mines to accompany him, in his visit to and through such mine or mines, and every part thereof. In case of the failure or refusal of the superintendent to obey such order, such stockholder shall be entitled to recover, in any court of competent jurisdiction, against said corporation, the sum of one thousand dollars and traveling expenses to and from said mine as liquidated damages, together with costs of suit. In case of such refusal, it shall be the duty of the directors of such corporation forthwith to remove the officer so refusing, and thereafter he shall not be employed directly or indirectly by such corporation, and no salary shall be paid to him.

SEC. 3. Section three of said act is hereby amended so as to read as follows:

SEC. 3. In case of the refusal or neglect of the president to cause to be issued by the secretary the order in the second section of this act mentioned, such stockholder shall be entitled to recover against said president the sum of one thousand dollars and costs, as provided in the last section. In case of the failure of the directors to have the reports and accounts current made and posted as in the first section of this act provided, they shall be liable,

either severally or jointly, to an action by any stockholder in any court of competent jurisdiction complaining thereof, and on proof of such refusal or failure, such complaining stockholder shall recover judgment for one thousand dollars liquidated damages, with costs of suit.

SEC. 4. All acts and parts of acts, so far as they conflict with this act, are hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

CHAP. CXVIII.

AN ACT for the further protection of stockholders in mining companies. (Approved April 23, 1880; Cal. Stats. 1880, p. 131.)

SECTION 1. It shall not be lawful for the directors of any mining corporation to sell, lease, mortgage, or otherwise dispose of the whole or any part of the mining ground owned or held by such corporation, nor to purchase or obtain, in any way, any additional mining ground, unless such act be ratified by the holders of at least two-thirds of the capital stock of such corporation. Such ratification may be made either in writing, signed and acknowledged by such stockholders, or by resolution, duly passed at a stockholders' meeting called for that purpose.

SEC. 2. All stock in each and every mining corporation in this state shall stand in the books of said company, in all cases, in the names of the real owners of such stock, or in the name of the trustees of such real owners; but in every case where such stock shall stand in the name of a trustee, the party for whom he holds such stock in trust shall be designated upon said books, and also in the body of the certificate of such stock.

SEC. 3. It shall not be lawful for any such corporation, or the secretary thereof, to close the books of said corporation more than two days prior to the day of any election. At such election the stock of said corporation shall be voted by the *bona fide* owners thereof, as shown by the books of said corporation, unless the certificate of stock, duly indorsed, be produced at such election, in which case said certificate shall be deemed the highest evidence of ownership, and the holder thereof shall be entitled to vote the same.

SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

AMENDMENTS TO THE CODES, 1880.

CHAP. XC.

AN ACT to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation. (Approved April 16, 1880, p. 11.)

SECTION 1. Section two hundred and ninety of the Civil Code is hereby amended so as to read as follows:

SECTION 290. Articles of incorporation must be prepared, setting forth:

First. The name of the incorporation.

Second. The purpose for which it is framed.

Third. The place where its principal business is to be transacted.

Fourth. The term for which it is to exist, not exceeding fifty years.

Fifth. The number of its directors or trustees, which shall not be less than five nor more than eleven, and the names and residence of those who are appointed for the first year: *Provided*, That the corporate powers, business, and property of corporations formed or to be formed for the purpose of erecting and managing halls and buildings for the meetings and accommodation of several lodges or societies of any benevolent or charitable order or organization, and in connection therewith the leasing of stores and offices in such building or buildings for other purposes, may be conducted, exercised, and controlled by a board of not less than five nor more than fifty directors, to be chosen from among the stockholders of such corporation or from among the members of such order or organization: *And provided also*, That at any time during the existence of corporations for profit, other than those of the character last hereinabove provided for, the number of directors may be increased or diminished, by a majority of the stockholders of the corporation, to any number not exceeding eleven nor less than five, who must be members of the corporation, whereupon a certificate, stating the number of directors, must be filed, as provided for in section two hundred and ninety-six for the filing of the original articles of incorporation.

Sixth. The amount of its capital stock, and the number of shares into which it is divided.

Seventh. If there is a capital stock, the amount actually subscribed, and by whom.

SEC. 2. This act shall take effect immediately.

CHAP. CXII.

AN ACT to amend an act entitled "An act to amend section two hundred and ninety-nine of the Civil Code of California", approved March twenty-second, anno Domini eighteen hundred and seventy-eight. (Approved April 23, 1880, p. 13.)

SECTION 1. Section (299) two hundred and ninety-nine of said Civil Code is hereby amended so as to read as follows:

SECTION 299. No corporation hereafter formed shall purchase, locate, or hold property in any county in this

state without filing a copy of the copy of its articles of incorporation filed in the office of the secretary of state, duly certified by such secretary of state, in the office of the county clerk of the county in which such property is situated, within sixty days after such purchase or location is made. Every corporation now in existence, whether formed under the provisions of this code or not, must, within ninety days after the passage of this section, file such certified copy of the copy of its articles of incorporation in the office of the county clerk of every county in this state in which it holds any property (except the county where the original articles of incorporation are filed); and if any corporation hereafter acquire any property in any county other than that in which it now holds property, it must, within ninety days thereafter, file with the clerk of such county such certified copy of the copy of its articles of incorporation. The copies so filed with the several county clerks, and certified copies thereof, shall have the same force and effect in evidence as would the originals. Any corporation failing to comply with the provisions of this section shall not maintain or defend any action or proceeding in relation to such property, its rents, issues, or profits, until such articles of incorporation, and such certified copy of its articles of incorporation, and such certified copy of the copy of its articles of incorporation, shall be filed at the places directed by the general law and this section: *Provided*, That all corporations shall be liable in damages for any and all loss that may arise by the failure of such corporation to perform any of the foregoing duties within the time mentioned in this section: *And provided further*, That the said damages may be recovered in an action brought in any court of this state, of competent jurisdiction, by any party or parties suffering the same.

SEC. 2. This act shall take effect immediately.

CHAP. III.

AN ACT to amend the Penal Code by adding two new sections thereto, to be known as sections one hundred and seventy-eight and one hundred and seventy-nine, prohibiting the employment of Chinese by corporations. (Approved February 13, 1880; Penal Code, p. 1.)

SECTION 1. A new section is hereby added to the Penal Code, to be numbered section one hundred and seventy-eight:

SEC. 178. Any officer, director, manager, member, stockholder, clerk, agent, servant, attorney, employé, assignee, or contractor of any corporation now existing, or hereafter formed under the laws of this state, who shall employ, in any manner or capacity, upon any work or business of such corporation, any Chinese or Mongolian, is guilty of a misdemeanor, and is punishable by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail of not less than fifty nor more than five hundred days, or by both such fine and imprisonment: *Provided*, That no director of a corporation shall be deemed guilty under this section who refuses to assent to such employment, and has such dissent recorded in the minutes of the board of directors.

1. Every person who, having been convicted for violating the provisions of this section, commits any subsequent violation thereof after such conviction is punishable as follows:

2. For each subsequent conviction such person shall be fined not less than five hundred nor more than five thousand dollars, or by imprisonment not less than two hundred and fifty days nor more than two years, or by both such fine and imprisonment.

SEC. 2. A new section is hereby added to the Penal Code, to be known as section one hundred and seventy-nine, and to read as follows:

SEC. 179. Any corporation now existing or hereafter formed under the laws of this state, that shall employ, directly or indirectly, in any capacity, any Chinese or Mongolian, shall be guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than five hundred nor more than five thousand dollars, and upon the second conviction shall, in addition to said penalty, forfeit its charter and franchise and all its corporate rights and privileges, and it shall be the duty of the attorney-general to take the necessary steps to enforce such forfeiture.

SEC. 3. This act shall take effect immediately.

STATUTES OF 1881.

CHAP. LIII.

AN ACT to amend the Political Code of the state of California, relating to revenue, by adding a new section, to be known as section 3608 of said code, and by amending sections 3607, 3617, 3627, 3629, 3650, 3651, and 3652 of said code. and by repealing section 3640 of said code, all relative to revenue. (Approved March 7, 1881, p. 56.)

SECTION 1. Section three thousand six hundred and seven of the Political Code is hereby amended to read as follows:

SECTION 3607. All property in this state, not exempt under the laws of the United States, excepting growing crops, property used exclusively for public schools, and such as may belong to the United States, this state, or to

any county or municipal corporation within this state, is subject to taxation as in this code provided; but nothing in this code shall be construed to require or permit double taxation.

SEC. 2. A new section is hereby added to said code, to be known as section three thousand six hundred and eight, and to read as follows:

SECTION 3608. Shares of stock in corporations possess no intrinsic value over and above the actual value of the property of the corporation which they stand for and represent, and the assessment and taxation of such shares and also of the corporate property would be double taxation. Therefore, all property belonging to corporations shall be assessed and taxed, but no assessment shall be made of shares of stock, nor shall any holder thereof be taxed therefor.

SEC. 3. Section three thousand six hundred and seventeen of said code is hereby amended to read as follows:

SECTION 3617. Whenever the terms mentioned in this section are employed in this act they are employed in the sense hereafter affixed to them:

First. The term "property" includes moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership.

Second. The term "real estate" includes:

1. The possession of, claim to, ownership of, or right to the possession of land.

2. All mines, minerals, and quarries in and under the land, all timber belonging to individuals or corporations growing or being on the lands of the United States, and all rights and privileges appertaining thereto.

3. A mortgage, deed of trust, contract, or other obligation by which a debt is secured, when land is pledged for the payment and discharge thereof, shall, for the purpose of assessment and taxation, be deemed and treated as an interest in the land so pledged.

4. Improvements.

Third. The term "improvements" includes:

1. All buildings, structures, fixtures, fences, and improvements erected upon or affixed to the land.

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Fourth. The term "personal property" includes everything which is the subject of ownership not included within the meaning of the term "real estate".

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CHAP. LXXII.

AN ACT to provide a state hospital and asylum for miners. (Approved March 14, 1881, p. 83.)

SECTION 1. There shall be erected, as soon as conveniently may be, upon some suitable site, to be determined and obtained as is hereinafter provided, a public hospital and asylum for the reception, care, medical and surgical treatment, and relief of the sick, injured, disabled, and aged miners, which shall be known as the "California State Miners' Hospital and Asylum".

SEC. 2. The governor shall nominate, and by and with the advice and consent of the senate, appoint five persons to serve as trustees of the said institution, who shall be a body politic and corporate, by the name and style of the "Trustees of the California State Miners' Hospital and Asylum", and shall manage and direct the concerns of the institution, and make all necessary by-laws and regulations, and shall have power to receive, hold, dispose of, and convey all real and personal property conveyed to them by gift, devise, or otherwise, for the use of said institution, and shall serve without compensation. Of those first appointed, two shall serve for two years and three for four years; and at the expiration of the respective terms, each class thereafter shall be appointed for four years. A vacancy in said board, from any cause, shall be filled by appointment by the governor, for the unexpired term.

SEC. 3. The said trustees shall have charge of the general interests of the institution; they shall appoint the superintendent, who shall be a skillful physician and surgeon, subject to removal or re-election no oftener than in periods of ten years, except by infidelity to the trust reposed in him, or for incompetency.

SEC. 4. The trustees, by and with the consent of the governor, shall make such by-laws and regulations for the government of the institution as shall be necessary; they shall appoint a treasurer, who shall give bonds to the people of the state of California for the faithful discharge of his duties; and they shall fix the compensation of all officers, assistants, and attachés who may be necessary for the just and economical administration of the affairs of said institution.

SEC. 5. Indigent miners shall be charged for medical attendance, surgical operations, board, and nursing, while residents in the hospital and asylum, no more than the actual cost; paying patients, whose friends can pay their expenses, and who are not chargeable upon townships and counties, shall pay according to the terms directed by the trustees.

SEC. 6. The several boards of supervisors of counties, or any constituted authority in the state having care and charge of any indigent, sick, or aged person or persons, if satisfactorily proven by them to have been miners, shall have authority to send to the "California State Miners' Hospital and Asylum" such persons, and they shall be severally

chargeable with the expenses of the care, maintenance, and treatment, and removal to and from the hospital and asylum of such patients.

SEC. 7. The trustees shall, annually, at such time as the governor may designate, report to him, for transmission to the legislature, such a statement as he may require as to the management of the said hospital and asylum.

SEC. 8. This act shall take effect immediately.

COLORADO.

GENERAL LAWS, COMPILATION OF 1877.

CHAP. LXVI.—MINES AND MINING-CLAIMS.

(Ter. Rev. Stats., Chapter LXII, p. 465.)

SECTION 1. The term claim, as used in the mining portions of this state, when applied to a lode shall be construed to mean one hundred feet of the length of such lode, surface measurement, of the entire width of such lode or crevice: *Provided*, That in any case where the regulations of any mining district have heretofore defined the term claim to mean other than as above defined, nothing in this chapter shall be so construed as to impair the rights of any person or persons holding claims under such regulations as may have been heretofore established by the people of the district in which such claim or claims are situated.

SEC. 2. Whenever any person or persons are engaged in bringing water into any portion of the mines, they shall have the right of way secured to them, and may pass over any claim, road, ditch, or other structure: *Provided*, The water be guarded so as not to interfere with prior rights.

SEC. 3. No person shall have the right to mine under any building or other improvement, unless he shall first secure the parties owning the same against all damages, except by priority of right.

SEC. 4. If any person or persons shall locate a tunnel-claim, for the purpose of discovery, he shall record the same, specifying the place of commencement and termination thereof, with the names of the parties interested therein.

SEC. 5. Any person or persons engaged in working a tunnel under the provisions of this chapter shall be entitled to two hundred and fifty feet each way from said tunnel, on each lode so discovered: *Provided*, They do not interfere with any vested rights. If it shall appear that claims have been staked off and recorded prior to the record of said tunnel, on the line thereof, so that the required number of feet cannot be taken near said tunnel, they may be taken upon any part thereof where the same may be found vacant; and persons working said tunnel shall have the right of way through all lodes which may lie in its course.

SEC. 6. When it shall appear that one lode crosses, runs into, or unites with any other lode, the priority of record shall determine the rights of claimants: *Provided*, That in no case where it appears that two lodes have crossed one another, shall the priority of record give any person the privilege of turning off from the crevice or lode which continues in the same direction of the main lode upon which he or they may have recorded their claim or claims, but such person or persons shall, at all times, follow the crevice running nearest in the general direction of the main lode upon which he or they may have recorded their claim or claims.

SEC. 7. Where two crevices are discovered at a distance from each other, and known by different names, and it shall appear that the two are one and the same lode, the persons having recorded on the first discovered lode shall be the legal owners.

SEC. 8. In no case shall any person or persons be allowed to flood the property of another person with water, or wash down the tailings of his or their sluice upon the claim or property of other persons, but it shall be the duty of every miner to take care of his own tailings upon his own property, or become responsible for all damages that may arise therefrom.

SEC. 9. Every miner shall have the right of way across any and all claims for the purpose of hauling quartz from his claim.

SEC. 10. All claims taken up and recorded by persons who have, since the recording of the same, enlisted in the army of the United States or the volunteer force of this state, shall be deemed and held as real estate for a period of two years from the expiration of their term of enlistment or discharge from service; after which time, if not represented by the said soldier or soldiers, all such claims shall be forfeited to any person who may take up the same.

SEC. 11. A copy of all the records, laws, and proceedings of each mining district, so far as they relate to lode-claims, shall be filed in the office of the county clerk of the county in which the district is situated, within the boundaries of the district attached to the same, which shall be taken as evidence in any court having jurisdiction in the matters concerned in such record or proceeding; and all such records of deeds and conveyances, laws, and proceedings of any mining district heretofore filed in the clerk's office of the proper county, and transcripts thereof duly certified, whether such record relate to gulch-claims, lode-claims, building lots, or other real estate, shall have the like effect as evidence.

AN ACT for the relief of pre-emptors and locators of veins or lodes of quartz or other rock on the mineral lands of the public domain. (Sess. Laws, 1870, p. 84.)

SECTION 1. No statutory law of Colorado territory shall be so construed as to prohibit the location of three thousand feet or less on any vein or lode in the manner prescribed in section four of an act of Congress approved July twenty-six, one thousand eight hundred and sixty-six, entitled "An act granting the right of way to ditch and canal owners over the public lands, and for other purposes", nor to prejudice any rights to obtain patents for the same, as provided in said act.

SEC. 2. All pre-emptions and locations of three thousand feet or less, on any vein, lode, or ledge, made since the passage of the said act of Congress, and conforming to the same, shall be good and valid.

SEC. 3. Nothing in this act shall be so construed as to prejudice any rights acquired prior to the passage of this act.

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AN ACT concerning mines. (Sess. Laws, 1874, p. 185; Gen. Laws, p. 629.)

SECTION 1. The length of any lode-claim hereafter located may equal but not exceed fifteen hundred feet along the vein.

SEC. 2. The width of lode-claims hereafter located in Gilpin, Clear Creek, Boulder, and Summit counties shall be seventy-five feet on each side of the center of the vein or crevice, and in all other counties the width of the same shall be one hundred and fifty feet on each side of the center of the vein or crevice: *Provided*, That hereafter any county may, at any general election, determine upon a greater width, not exceeding three hundred feet on each side of the center of the vein or lode, by a majority of the legal votes cast at said election, and any county, by such vote at such election, may determine upon a less width than above specified.

SEC. 3. The discoverer of a lode shall, within three months from date of discovery, record his claim in the office of the recorder of the county in which such lode is situated, by a location certificate which shall contain:

First. The name of the lode.

Second. The name of the locator.

Third. The date of location.

Fourth. The number of feet in length claimed on each side of the center of discovery shaft.

Fifth. The general course of the lode as near as may be.

SEC. 4. Any location certificate of a lode-claim which shall not contain the name of the lode, the name of the locator, the date of location, the number of lineal feet claimed on each side of the discovery shaft, the general course of the lode, and such description as shall identify the claim with reasonable certainty, shall be void.

SEC. 5. Before filing such location certificate, the discoverer shall locate his claim by:

First. Sinking a discovery shaft upon the lode to the depth of at least ten feet from the lowest part of the rim of such shaft at the surface, or deeper if necessary, to show a well-defined crevice.

Second. By posting at the point of discovery, on the surface, a plain sign or notice containing the name of the lode, the name of the locator, and the date of discovery.

Third. By marking the surface-boundaries of the claim.

SEC. 6. Such surface-boundaries shall be marked by six substantial posts hewed or marked on the side or sides which are in toward the claim, and sunk in the ground, to wit: one at each corner and one at the center of each side-line. Where it is practically impossible on account of bed-rock to sink such posts, they may be placed in a pile of stones, and where in marking the surface-boundaries of a claim any one or more of such posts shall fall by right upon precipitous ground, where the proper placing of it is impracticable or dangerous to life or limb, it shall be legal and valid to place any such post at the nearest practicable point, suitably marked to designate the proper place.

SEC. 7. Any open cut, cross-cut, or tunnel which shall cut a lode at the depth of ten feet below the surface shall hold such lode the same as if a discovery shaft were sunk thereon, or an adit of at least ten feet in along the lode, from the point where the lode may be in any manner discovered, shall be equivalent to a discovery shaft.

SEC. 8. The discoverer shall have sixty days from the time of uncovering or disclosing a lode to sink a discovery shaft thereon.

SEC. 9. The location or location certificate of any lode-claim shall be construed to include all surface-ground within the surface-lines thereof, and all lodes and ledges throughout their entire depth the top or apex of which lies inside of such lines extended downward, vertically, with such parts of all lodes or ledges as continue by dip beyond the side-lines of the claim, but shall not include any portion of such lodes or ledges beyond the end-lines of the claim or the end-lines continued, whether by dip or otherwise, or beyond the side-lines in any other manner than by the dip of the lode.

SEC. 10. If the top or apex of a lode in its longitudinal course extends beyond the exterior lines of the claim at any point on the surface, or as extended vertically downward, such lode may not be followed in its longitudinal course beyond the point where it is intersected by the exterior lines.

SEC. 11. All mining-claims now located, or which may be hereafter located, shall be subject to the right of way of any ditch or flume for mining purposes, or of any tramway or pack-trail, whether now in use or which may be hereafter laid out across any such location: *Provided, always*, That such right of way shall not be exercised against any location duly made and recorded, and not abandoned prior to the establishment of the ditch, flume, tramway, or pack-trail, without consent of the owner, except by condemnation as in case of land taken for public highways. Parol consent to the location of any such easement, accompanied by the completion of the same over the claim, shall be sufficient without writings: *And provided further*, That such ditch or flume shall be so constructed that the water from such ditch or flume shall not injure vested rights by flooding or otherwise.

SEC. 12. When the right to mine is in any case separate from the ownership or right of occupancy to the surface, the owner or rightful occupant of the surface may demand satisfactory security from the miner, and, if it be refused, may enjoin such miner from working until such security is given. The order for injunction shall fix the amount of bond.

SEC. 13. If at any time the locator of any mining-claim heretofore or hereafter located, or his assigns, shall apprehend that his original certificate was defective, erroneous, or that the requirements of the law had not been complied with before filing, or shall be desirous of changing his surface-boundaries, or of taking in any part of an overlapping claim which has been abandoned, or in case the original certificate was made prior to the passage of this law and he shall be desirous of securing the benefits of this act, such locator, or his assigns, may file an additional certificate, subject to the provisions of this act: *Provided*, That such relocation does not interfere with the existing rights of others at the time of such relocation, and no such relocation or other record thereof shall preclude the claimant or claimants from proving any such title or titles as he or they may have held under previous location.

SEC. 14. Within six months after any set time or annual period allowed for the performance of labor, or making improvements upon any lode-claim, the person on whose behalf such outlay was made, or some person for him, shall make and record an affidavit, in substance as follows:

STATE OF COLORADO,
——— *County, ss:*

Before me, the subscriber, personally appeared ——— ———, who, being duly sworn, saith that at least ——— dollars' worth of work or improvements were performed or made upon (here describe claim or part of claim), situate in ——— mining district, county of ———, state of Colorado. Such expenditure was made by or at the expense of ——— ———, owners of said claim, for the purpose of holding said claim.

(Jurat.)

(Signature.) ——— ———.

And such signature shall be *prima-facie* evidence of the performance of such labor.

SEC. 15. The relocation of abandoned lode-claims shall be by sinking a new discovery shaft and fixing new boundaries in the same manner as if it were the location of a new claim; or the relocator may sink the original discovery shaft ten feet deeper than it was at the time of abandonment, and erect new or adopt the old boundaries, renewing the posts if removed or destroyed. In either case a new location stake shall be erected. In any case, whether the whole or part of an abandoned claim is taken, the location certificate may state that the whole or any part of the new location is located as abandoned property.

SEC. 16. No location certificate shall claim more than one location, whether the location be made by one or several locators. And if it purport to claim more than one location, it shall be absolutely void except as to the first location therein described, and if they are described together, or so that it cannot be told which location is first described, the certificate shall be void as to all.

AN ACT concerning mines. (Sess. Laws, 1874, p. 190; Gen. Laws, p. 633.)

SECTION 1. In all actions pending in any district court of this state wherein the title or right of possession to any mining-claim shall be in dispute, the said court, or the judge thereof, may, upon application of any of the parties to such suit, enter an order for the underground as well as surface survey of such part of the property in dispute as may be necessary to a just determination of the question involved. Such order shall designate some competent surveyor not related to any of the parties to such suit, or in anywise interested in the result of the same, and upon the application of the party adverse to such application the court may also appoint some competent surveyor, to be selected by such adverse applicant, whose duty it shall be to attend upon such survey and observe the method of making the same; said second surveyor to be at the cost of the party asking therefor. It shall also be lawful in such order to specify the names of witnesses named by either party, not exceeding three on each side, to examine such property, who shall hereupon be allowed to enter into such property and examine the same. Said court or the judge thereof may also cause the removal of any rock, débris, or other obstacle in any of the drifts or shafts of said property, when such removal is shown to be necessary to a just determination of the questions involved: *Provided, however*, That no such order shall be made for survey and inspection except in open court or in chambers,

upon notice of application for such order of at least six days, and not then except by agreement of parties, or upon the affidavit of two or more persons that such survey and inspection is necessary to the just determination of the suit, which affidavits shall state the facts in such case and wherein the necessity for survey exists; nor shall such order be made unless it appears that the party asking therefor had been refused the privilege of survey and inspection by the adverse party.

SEC. 2. In all cases where two or more persons shall associate themselves together for the purpose of obtaining the possession of any lode, gulch, or placer-claim then in the actual possession of another, by force and violence, or threats of violence, or by stealth, and shall proceed to carry out such purpose by making threats against the party or parties in possession, or who shall enter upon such lode or mining-claim for the purpose aforesaid, or who shall enter upon or into any lode, gulch, placer claim, quartz-mill, or other mining property, or not being upon such property, but within hearing of the same, shall make any threats, or make use of any language, signs, or gestures, calculated to intimidate any person or persons at work on said property from continuing to work thereon or therein, or to intimidate others from engaging to work thereon or therein, every such person so offending shall, on conviction thereof, be fined in a sum not to exceed two hundred and fifty dollars, and be imprisoned in the county jail not less [than] thirty days nor more than six months, such fine to be discharged either by payment or by confinement in said jail until such fine is discharged, at the rate of two dollars and fifty cents per day. On trials under this section proof of a common purpose of two or more persons to obtain possession of property as aforesaid, or to intimidate laborers as above set forth, accompanied or followed by any of the acts above specified by any of them, shall be sufficient evidence to convict any one committing such acts, although the parties may not be associated together at the time of committing the same.

SEC. 3. If any person or persons shall associate and agree to enter, or attempt to enter, by force of numbers, and the terror such number is calculated to inspire, or by force and violence, or by threats of violence, against any person or persons in the actual possession of any lode, gulch, or placer-claim, and upon such entry or attempted entry any person or persons shall be killed, said persons, and all and each of them so entering or attempting to enter, shall be deemed guilty of murder in the first degree, and punished accordingly. Upon the trials of such cases any person or parties cognizant of such entry, or attempted entry, who shall either be present, aiding and assisting, or shall by promise of money, property, influence, assistance, or other thing of value, in anywise encourage such entry or attempted entry, shall be deemed a principal in the commission of said offense.

AN ACT to provide for the drainage of mines, and to regulate the liabilities of miners, mine owners, and mill men in certain cases, and to repeal all territorial acts on the subject. (Approved March 16, 1877; Gen. Laws, p. 635.)

Be it enacted by the general assembly of the state of Colorado. SECTION 1. Whenever contiguous or adjacent mines upon the same or upon separate lodes have a common ingress of water, or, from subterraneous communication of the water, have a common drainage, it shall be the duty of the owners, lessees, or occupants of each mine so related, to provide for their proportionate share of the drainage thereof.

SEC. 2. Any parties so related, failing to provide as aforesaid for the drainage of the mines owned or occupied by them, thereby imposing an unjust burden upon neighboring mines, whether owned or occupied by them, shall pay, respectively, to those performing the work of drainage their proportion of the actual and necessary cost and expense of doing such drainage, to be recovered by an action in any court of competent jurisdiction.

SEC. 3. It shall be lawful for all mining corporations or companies, and all individuals engaged in mining, having thus a common interest in draining such mines, to unite for the purpose of effecting the same, under such common name and upon such terms and conditions as may be agreed upon; and every such association, having filed a certificate of incorporation, as provided by law, shall be deemed a corporation, with all the rights, incidents, and liabilities of a body corporate, so far as the same may be applicable.

SEC. 4. Failing to mutually agree as indicated in the preceding section, for drainage jointly, one or more of the said parties may undertake the work of drainage, after giving reasonable notice; and should the remaining parties then fail, neglect, or refuse to unite in equitable arrangements for doing the work or sharing the expense thereof, they shall be subject to an action therefor as already specified, to be enforced in any court of competent jurisdiction.

SEC. 5. When an action is commenced to recover the cost and expenses for draining a lode or mine, it shall be lawful for the plaintiff to apply to the court, if in session, or to the judge thereof in vacation, for an order to inspect and examine the lodes or mines claimed to have been drained by the plaintiff; or some one for him shall make affidavit that such inspection or examination is necessary for a proper preparation of the case for trial. The court or judge shall grant an order for the underground inspection and examination of the lode or mines described in the petition. Such order shall designate the number of persons, not exceeding three, besides the plaintiff or his representative, to examine and inspect such lode and mines, and take the measurement thereof, relating the amount of water drained from the lode or mine, or the number of fathoms of ground mined and worked out of the

lode or mines claimed to have been drained, the cost of such examination and inspection to be borne by the party applying therefor. The court or judge shall have power to cause the removal of any rock, débris, or other obstacles in any lode or vein, when such removal is shown to be necessary to a just determination of the question involved: *Provided*, That no such order for inspection and examination shall be made, except in open court or at chambers, upon notice of application for such order of at least three days, and not then except by agreement of parties, nor unless it appears that the plaintiff has been refused the privilege of making the inspection and examination by the defendant, his or their agent.

SEC. 6. That hereafter, when any person or persons or corporation shall be engaged in mining or milling, and in the prosecution of such business shall hoist or raise water from mines or natural channels, and the same shall flow away from the premises of such persons or corporations to any natural channel or gulch, the same shall be considered beyond the control of the party so hoisting or raising the same, and may be taken and used by other parties the same as that of natural water-courses.

SEC. 7. After any such water shall have been so raised, and the same shall have flown into any such natural channel, gulch, or draw, the party so hoisting or raising the same shall only be liable for injury caused thereby, in the same manner as riparian owners along natural water-courses.

SEC. 8. The provisions of this act shall not be construed to apply to incipient or undeveloped mines, but to those only which shall have been opened and shall clearly derive a benefit from being drained.

SEC. 9. In trial of cases arising under this act the court shall admit evidence of the normal stand or position of the water while at rest in an idle mine; also, the observed prevalence of a common water-level or a standing water-line in the same or separate lodes; also, the effect (if any) the elevating or depressing the water by natural or mechanical means in any given lode has upon elevating or depressing the water in the same, contiguous, or separate lodes or mine; also, the effect which draining or ceasing to drain any given lode or mine had upon the water in the same or contiguous or separate lodes or mines, and all other evidence which tends to prove the common ingress or subterraneous communication of water into the same lode or mine, or contiguous or separate lodes or mines.

CHAP. XIV.—COAL-MINES.

AN ACT to compel owners of coal-mines to fence their slack piles and abandoned pits. (Approved February 2, 1877; Gen. Laws, p. 126.)

SECTION 1. That the owner or operators of coal-mines from which fine or slack coal is taken and piled upon the surface of the ground, in such quantities as to produce spontaneous combustion, shall fence said ground in such manner as to prevent loose cattle or horses from having access to such slack piles.

SEC. 2. All owners of lands having abandoned coal pits or shafts on the same, of sufficient depth to endanger the life of cattle, horses, or other stock, shall fence or fill said pits or shafts in such a manner as to afford permanent protection to all such stock endangered thereby.

SEC. 3. Every person violating sections one (1) and two (2) of this act shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than twenty (20) dollars nor more than one hundred (100) dollars, to be collected as other fines are collected, and shall be further liable to any party injured thereby in the amount of the actual injury sustained.

CHAP. XV.—COMMISSIONER OF MINES.

AN ACT to establish the office of commissioner of mines, and to repeal an act entitled "An act to establish a territorial assay office", approved January 10, 1868; also "An act to establish assay offices in Colorado territory", approved February 8, 1872; also "An act to establish assay offices in Colorado territory", approved February 10, 1874; also "An act to amend an act entitled 'An act to establish assay offices in Colorado territory'", approved February 11, 1876. (Approved April 13, 1877; Gen. Laws, p. 126.)

NOTE.—See act approved February 8, 1879, Stats., p. 158; also act approved April 7, 1877, Gen. Laws, p. 803.

SECTION 1. The production and reduction of ores being a leading industry of the people of Colorado, and being pursuits in which all are interested and from which all derive benefit, and reliable statistical information of values concerning mines and milling being only accessible through the ministerial powers of the state, therefore, in accordance with the provisions of section 1 of article 16 of the constitution of the state of Colorado, the office of commissioner of mines is hereby established.

SEC. 2. There shall be appointed by the governor of the state, with the advice and consent of the senate, a commissioner of mines, who shall be a person known to be competent, theoretically and practically acquainted with mining and the treatment of ores, whose term of office shall be four (4) years, unless sooner removed for good cause, and whose office shall be at the state school of mines, at Golden: *Provided*, That when a vacancy shall exist in the foregoing office, and the senate shall not be in session, the governor shall have power to appoint said commissioner of mines, who shall perform the duties and receive the compensation of such office, as hereafter

provided, until the next session of the general assembly, when the governor shall submit such appointment to the senate for their approval or rejection.

SEC. 3. The commissioner of mines shall have a seal bearing the words "Commissioner of Mines of the State of Colorado", which shall be kept by him expressly for the use of his office, and said seal shall be affixed to official documents only.

SEC. 4. It shall be the duty of the commissioner of mines to collect reliable statistical information concerning the production and reduction of all precious or useful minerals in this state; to examine the different processes for the treatment of ores used in this state, and to inquire into the merits of other processes alleged or demonstrated by practical experience elsewhere to be the most successful; to inquire into the relative merits of the various inventions, machines, mechanical contrivances, now in use, or which may be hereafter introduced, for mining and metallurgical purposes.

SEC. 5. The commissioner of mines shall have power and authority, either in person or by a duly-appointed deputy, to visit and examine any mine, or piece of mining ground, for the purpose of ascertaining the condition of the same, in regard to its safety and means of egress from the same, and, for this purpose, shall have access to any and all levels, stopes, tunnels, winzes, shafts, and shaft power of any mine for the purpose of said inspection.

SEC. 6. Whenever the commissioner of mines, or his duly-authorized deputy, shall receive a formal complaint in writing, signed by two or more persons, setting forth that the mine in which they are employed is dangerous in any respect, he shall visit and examine such mine, and if from such personal examination he shall ascertain that the facilities for egress are insufficient, or that from want of timbering, scaling, or slacking of the ground in such mines so visited, or from other causes, or that the timbers, ladders, ladder-ways, pentices, or plats in any such mine are in a dangerous condition, it shall become his duty to notify the owners, lessor, or lessee thereof, such notice to be in writing, and to be served by copy on any person or persons, in the same manner as provided by law for the serving of legal notices or process; said notice shall state in what particular such egress is insufficient, or in what particulars timbers, ladders, ladder-ways, pentices, or plats are dangerous, and shall require the necessary changes to be made without unnecessary delay. And in case any criminal or civil procedure at law against the party or parties so notified, on account of loss of life or bodily injury sustained by any employé subsequent to such notice, and in consequence of a neglect to obey the commissioner's requirement, a certified copy of the notice served by the commissioner shall be *prima-facie* evidence of the culpable negligence of the party or parties so complained of.

SEC. 7. It shall be the duty of the commissioner of mines to keep on file in his office reports and papers, which may be published from time to time, and all correspondence on the subject of mining and milling and reducing ores, with a view to eliciting and collecting such information for the public use; he shall address circulars to corporations and individuals engaged in mining, and shall correspond with the school of mines in other states and elsewhere in reference to mining, metallurgy, etc.

SEC. 8. It shall be the duty of said commissioner to collect, arrange, and classify mineral and geological specimens found in this state, and to keep the same in a department of reference and study in the state school of mines; he shall also, by analysis or assay, determine the character and value of the same.

SEC. 9. It shall be the duty of the commissioner of mines to assay, or cause to be assayed and analyzed in the laboratory of the state school of mines, specimens of the different ores, minerals, metals, coals, and mineral water mined or obtained in this state, whenever requested so to do; he shall keep a permanent record of the same, giving the name of the county, mining district, lode, ledge, deposit, vein, or spring, whenever obtained, together with the value and contents thereof; for such assay or analysis the commissioner of mines shall charge for each and every analysis, assay, or test, as follows:

For silver only	$1 00
For gold and silver	2 00
For zinc, lead, or copper	2 00
For analysis of coal	10 00
For analysis of ores, from $5 to $10	10 00
For analysis of minerals, from $3 to $10	10 00
For analysis of mineral water, not more than	30 00

He shall keep a correct account of all moneys received from such assays or analysis, and the sum shall be paid by him into the state treasury monthly, and used solely for the fund of the commissioner of mines and state school of mines, and in case of the failure or neglect of the commissioner of mines to keep the record, or to pay into the state treasury all money received by him for analysis, assays, and tests, as required by this section, he shall be deemed guilty of a misdemeanor, and may, upon conviction thereof, be punished by fine not to exceed [five hundred dollars] $500, said fine to be recovered in any court of competent jurisdiction, and paid into the state treasury for the benefit of the school of mines.

SEC. 10. It shall be the duty of the commissioner of mines, at least once in each year, either in person or by a duly-authorized deputy, to visit each mining county in the state, and examine as many of the mines in the different counties as practicable.

SEC. 11. The commissioner of mines shall report to the governor of the state, on or before the fifteenth of January in each year, for the year ending on the thirty-first day of December of the preceding year, which report shall contain all statements of accounts, moneys received and expended, statistics, and other information which may tend to promote the development of the mineral resources of the state.

SEC. 12. He shall, at least once during every six months after the date of his appointment, examine carefully the principal coal-mines being worked in this state, as to the safety of the workings, the condition of the air in the mines, and the best means of ventilation; the amount of coal excavated, and whether children under fourteen years of age are permitted to work in such coal-mines; which facts he shall faithfully report, with recommendations, in his annual report; and for the purpose of making full and thorough examinations he shall have access to all workings in any coal-mine owned or worked by any corporation or individuals in this state, and is hereby authorized and required to inspect and examine such mine in all its workings. To facilitate such examination, all corporations and individuals working coal-mines in the state shall keep a true and complete plat of all the workings of such coal-mines, with explanatory notes, showing the method of ventilation in such mine, which plat shall be corrected every four months; any agent or superintendent of any corporation, or individual working coal-mines in this state, who shall refuse to permit said commissioner of mines to examine such mine, or who shall neglect to keep a correct plat of the workings of such mine, or who shall employ or permit to be employed in such coal-mine any children under fourteen years of age, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred (500) dollars, or by imprisonment not exceeding one year for each offense.

SEC. 13. The commissioner of mines shall devote his entire time to the duties of his office, and shall receive a salary of three thousand (3,000) dollars per annum, and with the consent of the governor of the state shall appoint a deputy commissioner of mines, at a salary not exceeding twelve hundred (1,200) dollars per annum; that on and after the year 1877 the salary of the commissioner and deputy commissioner of mines and assistant, as well as the contingent expenses of the same, shall be paid out of the fund provided for the support of the school of mines. The deputy commissioner shall be under the direction and control of the commissioner, who may remove him for good cause. He shall also appoint as assistant commissioner of mines the professor in charge of the school of mines at Golden, at a salary of seven hundred (700) dollars per annum, in addition to his pay as said professor. The duties of the assistant commissioner shall be to act as deputy commissioner in the absence of the commissioner, to take charge of the state cabinet, and to make the assays and analyses required in sections eight (8) and nine (9) of this act.

SEC. 14. The above salaries to be paid monthly, and contingent expenses to be paid on presentation of vouchers certified to under oath by the commissioner of mines; and the auditor shall draw his warrants accordingly: *Provided*, That the amount of contingent expenses for any one year shall not exceed two thousand three hundred (2,300) dollars.

SEC. 15. The different acts to establish assay offices in the territory of Colorado, approved January 10, 1868, and February 11, 1874, and 1876, also that part of section two (2) of "An act to provide for the several expenses of the years 1876 and 1877, approved February 11, 1876, relating to the appropriation for paying the salaries of the territorial assayers", and all other acts and parts of acts inconsistent with this act, are hereby repealed.

SEC. 16. All property belonging to the state that is in the possession of the territorial assayers shall be turned over to the commissioner of mines.

NOTE.—This chapter (XV) repealed by act of 1881. (Stats., p. 62.)

CHAP. XIX.—CORPORATIONS.

AN ACT to provide for the formation of corporations. (Approved March 14, 1877; Gen. Laws, p. 143.)

SECTION 1. That corporations may be formed under the provisions of this act for any lawful purpose, but the corporate name of every corporation hereafter organized (except banks and corporations not for pecuniary profit) shall commence with the word "the" and end with the word "corporation", "company," "association," or "society", and shall indicate by its corporate name the business to be carried on by said corporation.

SEC. 2. At any time hereafter any three or more persons (except as hereinafter provided) who may desire to form a company for the purpose of carrying on any lawful business, may make, sign, and acknowledge, before some officer competent to take the acknowledgments of deeds, certificates in writing, in which shall be stated the corporate name of said company, the objects for which the company shall be created, the amount of the capital stock of said company, the term of its existence, not to exceed twenty years, except as hereinafter provided, save and except to make perpetual, corporations insuring lives of individuals, which have been heretofore or may be hereafter organized under the laws of Colorado, the number of shares of which the said stock shall consist, the number of directors or trustees of said company, and the names of those who shall manage the affairs of such company for the first year of its existence, the name of the town, or place, and the county in which the principal office of the company shall be kept, and the name of the county or counties in which the principal business shall be carried on; and they shall

make as many such certificates as may be necessary, so as to file one in the office of the recorder of deeds in each of such county or counties and one in the office of the secretary of state; and when any company shall be created under the laws of this state for the purpose of carrying on part of its business beyond the limits thereof, such certificate shall state that fact, and shall also state the name of the town and county in this state in which the principal office of said company shall be kept, and shall state the name of the county in which the principal business of such company is to be carried on within this state.

SEC. 3. When the certificates shall have been filed as aforesaid, the secretary of state shall record and carefully preserve the same in his office, and a copy thereof, duly certified by the secretary of state under the great seal of the state of Colorado, shall be evidence of the existence of such company, but no certificate shall be filed or received for two corporations bearing the same name.

SEC. 4. Corporations formed under this act shall be bodies corporate and politic in fact and in name, by the name stated in such certificate, and by that name have succession for the period for which they are organized; may, in any court of law or equity in this state, sue and be sued; may have a common seal, which they may alter or renew at pleasure, by filing an impression of the same in the office of the secretary of state; may own, possess, and enjoy so much real and personal estate as shall be necessary for the transaction of their business, whether acquired by purchase, grant, devise, gift, or otherwise, and may from time to time sell and dispose of the same or any part thereof when not required for the use of the corporation. They may borrow money and pledge their franchises and property, both real and personal, to secure the payment thereof; and may have and exercise all the powers necessary and requisite to carry into effect the objects for which they may be formed, as named in their certificate of incorporation.

SEC. 5. The shares of stock shall not be less than ten (10) nor more than one hundred (100) dollars each, and shall be deemed personal property and transferable as such in the manner provided by the by-laws; and subscriptions therefor shall be made payable to the corporation, and shall be payable in such installments and at such time or times as shall be determined by the directors or trustees; and an action may be maintained in the name of the corporation to recover any installment which shall remain due and unpaid for the period of twenty (20) days after personal demand therefor, or, in cases where personal demand is not made, within thirty (30) days after a written or printed demand has been deposited in the post-office properly addressed to the post-office address of such delinquent stockholder. The directors or trustees may by by-laws prescribe for a forfeiture or sale of stock on failure to pay the installments or assessments that may from time to time become due, but no forfeiture of stock, or of the amounts paid thereon, shall be declared as against any estate, or against any stockholder, before demand shall have been made for the amount due thereon, either in person or by a written or printed notice duly mailed to the last known address of such stockholder, at least thirty (30) days prior to the time when such forfeiture is to take effect: *Provided*, That the proceeds of any sale over and above the amount due on said shares shall be paid to the delinquent stockholder.

SEC. 6. The corporate powers shall be exercised by a board of directors or trustees of not less than three nor more than thirteen, who shall respectively be stockholders in said company, and who shall (except the first year) be annually elected by the stockholders, at such time and place as shall be directed by the by-laws of the company; and public notice of the time and place of holding such elections shall be published, not less than ten days previous thereto, in the newspaper printed nearest to the place where the operations of the said company shall be carried on, and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy: *Provided*, A majority of the stock is represented. If a majority of the stock shall not be represented, such meeting may be adjourned by the stockholders present for a period not exceeding sixty days. All elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in the said company; and the persons receiving the greatest number of votes shall be directors or trustees, who shall hold their offices until their successors are elected and qualified, and when any vacancy shall happen among the directors or trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year as shall be provided by the by-laws of said company.

SEC. 7. In case it should happen at any time that an election of directors or trustees shall not be held on the day designated by the by-laws of said company, when it ought to have been held, the company for that reason shall not be dissolved, but it shall be proper to elect such directors or trustees on any subsequent day as shall be prescribed by the by-laws.

SEC. 8. The directors or trustees shall elect one of their number to be president, and may elect or appoint such subordinate officers as the company may by its by-laws designate, and such subordinate officers shall, if required by the company, give security for the faithful discharge of their official duties.

SEC. 9. The stockholders of any corporation formed under the provisions of this act, or the directors or trustees, if the certificate of incorporation so provide, shall have power to make such prudential by-laws as they deem proper for the management of the affairs of the company, not inconsistent with the laws of this state, for the purpose of carrying on all kinds of business within the objects and purpose of such company.

SEC. 10. It shall not be lawful for such corporations to use any of their funds for the purchase of stock in their own company or corporation, except such as may be forfeited from the non-payment of assessments thereon, except as hereinafter provided.

SEC. 11. Each stockholder shall be liable for the debts of the corporation to the extent of the amount that may be unpaid upon the stock held by him, to be collected in the manner herein provided. Whenever any action is brought to recover any indebtedness against the corporation, it shall be competent to proceed against any one or more stockholders at the same time to the extent of the balance unpaid by such stockholders upon the stock owned by them respectively, whether called in or not, as in cases of garnishment.

SEC. 12. The president and a majority of the directors or trustees, within sixty days after the payment of the last installment of the capital stock, so fixed and limited by the company, shall make a certificate stating the amount of the capital so fixed and paid in, which certificate shall be signed and sworn to by the president and a majority of the directors or trustees, and they shall, within the said sixty days, record the same in the office of the secretary of state, and a copy in the office of the recorder of deeds of the county wherein the business of the said company is carried on.

NOTE.—Section 12 amended by act approved February 8, 1879, Session Laws, p. 38. See also further amendment of this act by act above referred to.

SEC. 13. It shall be the duty of the directors or trustees of every corporation, except railroad and telegraph companies, to cause to be kept at its principal office or place of business in this state correct books of account of all its business, and any stockholder in such corporation shall have the right, at all reasonable times, to inspect and examine all the books, accounts, and papers of the corporation, and shall have the right, as aforesaid, to demand of any officer, clerk, cashier, or agent of any such corporation having in his control or custody any such books, accounts, or papers as such stockholder may desire to examine or inspect; and upon such demand being made in writing, every such officer, clerk, cashier, or agent shall be bound to produce such books, accounts, and papers to such stockholder, and afford due opportunity to examine and inspect the same; and such stockholders shall have the right to take copies or make extracts therefrom, but shall not remove from the office of the corporation any such books, accounts, and papers. In case of refusal or neglect by any such officer, clerk, cashier, or agent to exhibit the same, or to allow the same to be inspected, and copies or extracts to be taken therefrom by any stockholder making such request, or who shall secrete, conceal, or destroy any books, accounts, or papers, or who shall prevent, or endeavor to prevent, a full inspection of the same, shall be deemed guilty of a misdemeanor, and be liable to a penalty of two hundred dollars, or such less sum as a court or jury may find, to be recovered by action of debt, at suit of the person aggrieved, against the person offending, in the district court of the county where the principal office of such corporation is located.

SEC. 14. All assessments or installments of the stock of any stock corporation shall be levied by the directors or trustees in accordance with the provisions of the by-laws, except as hereinafter provided; but any assessments or installments required to be paid shall be levied *pro rata* upon all shares of such stock, except as hereinafter provided.

SEC. 15. The directors or trustees of any corporation may purchase mines, manufactories, and other property necessary for their business, and issue stock to the amount of the value thereof in payment therefor; and the stock so issued shall be declared and taken to be full-paid stock and not liable to any further calls or assessments, except as hereinafter provided; neither shall the stockholders thereof be liable to any further payments under the provisions of section eleven (11) of this act, but in all statements and reports of the company this stock shall not be stated or reported as being issued for cash paid in to the company, but shall be reported in this respect according to the facts.

SEC. 16. Every such corporation shall annually, within sixty days from the first day of January, make a report which shall state the amount of its capital and the proportion actually paid in, and the amount of existing debts, which report shall be signed by the president and shall be verified by the oath of the president or secretary of said company, under its corporate seal, and filed in the office of the recorder of deeds of the county where the business of the company shall be carried on, and if any such corporation shall fail so to do, unless the capital stock of said corporation has been fully paid in and a certificate made and filed as provided in section twelve (12) of this act, all the directors or trustees of the company shall be jointly and severally liable for all the debts of the company that shall be contracted during the year next preceding the time when such report should by this section have been made and filed, and until such report shall be made.

SEC. 17. If the directors, trustees, or other officers or agents of any corporation shall declare and pay any dividend when such corporation is insolvent, or any dividend the payment of which would render it insolvent, or which would diminish the amount of its capital stock, all directors, trustees, agents, or officers assenting thereto shall be jointly and severally liable for all debts of such corporation then existing, and for all that shall thereafter be contracted while the capital remains so diminished.

SEC. 18. The by-laws of every corporation shall provide for the calling of meetings of the directors or trustees, and when such directors or trustees shall be present at any meeting, however called or notified, or shall sign a written consent thereto on the record of such meeting, the acts of such meeting shall be as valid as if called and notified: *Provided*, That unless it shall be stated in the certificate of incorporation that meetings of the directors or trustees may be held beyond the limits of this state, or unless such meeting was authorized or its acts ratified by

a vote of a majority of the stockholders at a regular meeting, the action of any meeting held beyond the limits of this state shall be void.

SEC. 19. If any certified report or statement made or public notice given by the officers of any corporation shall be false in any material representation, all the officers who shall have signed the same, knowing it to be false, shall be jointly and severally liable for all damages arising therefrom.

SEC. 20. No person holding stock in any corporation as executor, administrator, conservator, guardian, or trustee, and no person holding such stock as collateral security, shall be personally subject to any liability as stockholder of such corporation, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly, and the estate and funds in the hands of such executor, administrator, conservator, guardian, or trustee shall be liable in like manner and to the same extent as the testator or intestate, or the ward or person interested in such trust funds would have been if he had been living, and had been competent to act, and held the stock in his own name.

SEC. 21. Every executor, administrator, conservator, guardian, or trustee shall represent the stock in his hands at all meetings of any such corporations, and may vote accordingly as a stockholder, and every person who shall pledge his stock may nevertheless represent the same at all meetings and vote accordingly.

SEC. 22. If any corporation or its authorized agent shall do any act which shall subject it to a forfeiture of its charter or corporate powers, or shall allow any execution or decree of any court of record for a payment of money, after demand made by the officer, to be returned "no property found", or to remain unsatisfied for ten days after such demand, or shall dissolve or cease doing business, leaving debts unpaid, suits in equity may be brought against all persons who were stockholders at the time, or liable in any way for the debts of the corporation, by joining the corporation in such suit, and each stockholder may be required to pay such debts or liabilities to the extent of the unpaid portion of his stock; and courts of equity shall have full power, on good cause shown, to dissolve or close up the business of any corporation, to appoint a receiver therefor, who shall have authority by the name of the receiver of such corporation (giving the name) to sue in all courts, and to do all things necessary to closing up its affairs as commanded by the decree of the court.

SEC. 23. Foreign corporations shall, before they are authorized or permitted to do any business in this state, make and file a certificate, signed by the president and secretary of such corporation, duly acknowledged, with the secretary of state, and in the office of the recorder of deeds of the county in which such business is carried on, designating the principal place where the business of such corporation shall be carried on in this state, and an authorized agent or agents in this state, residing at its principal place of business, upon whom process may be served; and such corporations shall be subjected to all the liabilities, restrictions, and duties which are or may be imposed upon corporations of like character organized under the general laws of this state, and shall have no other or greater powers, and no foreign or domestic corporation established or maintained in any way for pecuniary profit of its stockholders or members shall purchase or hold real estate in this state, except as provided for in this act, and no corporation doing business in this state, incorporated under the laws of any other state, shall be permitted to mortgage, pledge, or otherwise encumber its real or personal property situated in this state, to the injury or exclusion of any citizen, citizens, or corporations of this state who are creditors of such foreign corporation, and no mortgage by any foreign corporation, except railroad and telegraph companies, given to secure any debt created in any other state, shall take effect as against any citizen or corporation of this state until all its liabilities due to any person or corporation in this state at the time of recording such mortgage have been paid and extinguished.

SEC. 24. Every company incorporated under the laws of any foreign state or kingdom, or of any state or territory of the United States, beyond the limits of this state, and now or hereafter doing business within this state, shall file in the office of the secretary of state a copy of their charter of incorporation; or in case such company is incorporated by certificate under any general incorporation law, a copy of such certificate and of such general incorporation law, duly certified and authenticated by the proper authority of such foreign state, kingdom, or territory.

SEC. 25. A failure to comply with the provisions of sections 23 and 24 of this act shall render each and every officer, agent, and stockholder of any such corporation so failing herein jointly and severally personally liable on any and all contracts of such company made within this state during the time that such corporation is so in default.

SEC. 26. The several certificates, statutes, and charters mentioned in section twenty-four (24) of this act shall be by the secretary of state filed and preserved in his office as a part of the record thereof, and he shall be entitled to a fee of fifty cents for receiving and filing every such certificate and statute. Copies of such charters, statutes, and certificates, duly certified by the secretary of state under his seal of office, shall be received in all courts of this state as sufficient evidence of the corporate character of such incorporations, and of all their powers, duties, and liabilities, and the originals thereof may in like manner be used in evidence of these matters with like effect

SEC. 27. Suits may be instituted and prosecuted by and against any corporation formed or recognized. [organized] under this act in the same manner and in like cases as natural persons.

SEC. 28. The certified copy of any articles of incorporation and changes thereof, together with all indorsements therein [thereon], under the great seal of the state of Colorado, shall be taken and received in all courts and places as *prima-facie* evidence of the facts therein stated.

SEC. 29. Nothing in this act shall be construed to allow the construction of any street railroad, by any corporation formed under the provisions of this act, in any city or town, without the consent of the local authorities thereof.

SEC. 30. In suits against any corporation, summons shall be served in that county where the principal office of the corporation is kept or its principal business carried on, by delivering a copy to the president thereof, if he may be found in said county, but if he is absent therefrom, then the summons shall be served in like manner in such county, on either the vice-president, secretary, treasurer, cashier, general agent, general superintendent, or stockholder of said corporation, within such time and under such rules as are provided by law for the service of such process in suits against real persons; and if no such person can be found in the county where the principal office of the corporation is kept, or in the county where its principal business is carried on, to serve such process upon, a summons may issue from either one of such counties, directed to the sheriff of any county in this state where any such person may be found, and served with process. If such corporation keeps no principal office in any county, and there is no county in which the principal business of such corporation is carried on, then suit may be brought against it in any county where the above-mentioned officers, or any or either of them, may be found: *Provided*, That the plaintiff may, in all cases, bring his action in the county where the cause of action accrued.

SEC. 31. Whenever any person or persons owning fifteen (15) per cent. of the capital stock of any corporation formed under this act shall present a written request to the secretary, cashier, or treasurer thereof that they desire a statement of the affairs of such corporation, it shall be the duty of such secretary, cashier, or treasurer to make a statement of the affairs of said company, under oath, embracing a particular account of all its assets and liabilities in detail, and to deliver such statement to the persons who presented the said written request to said secretary or treasurer within twenty (20) days after such presentation; and shall also, at the same time, place and keep on file in the office of the company, for six months thereafter, a copy of such statement, which shall at all times, during business hours, be exhibited to any stockholder of said corporation demanding an examination thereof; such officer, however, shall not be required to make such statement, in the manner aforesaid, oftener than once in six months.

SEC. 32. It shall be the duty of the directors or trustees of every such corporation, except railroad or telegraph corporations, to cause a book to be kept by the secretary, or a clerk thereof, containing the names of all persons, alphabetically arranged, who are, or shall within one year have been, stockholders of such corporation, and showing their place of residence, the number of shares of stock held by them respectively, and the time when they respectively became the owners of such shares, and the time when they ceased to be such stockholders, and the amount of stock actually paid in, and what proportion has been paid in cash; which book shall, during the usual business hours of the day, be open for the inspection of the stockholders and creditors of the company, and their personal representatives, at the office or principal place of business of such company in the county where its business operations shall be located; and any and every such stockholder, creditor, or representative shall have a right to make extracts from such books; and no transfer of stock shall be valid for any purpose whatever except to render the person to whom it shall be transferred liable for the debts of the company, according to the provisions of this act, unless it shall have been entered therein, as required by this section, within sixty days from the date of such transfer, by an entry showing to and from whom transferred. Such books shall be presumptive evidence of the facts therein stated, in any suit or proceedings against such corporation, or against any one or more stockholders. Every officer or agent of any such company who shall neglect to make any proper entry in such book, or shall refuse or neglect to exhibit the same, or allow the same to be inspected, and extracts taken therefrom, shall be, as provided by this section, deemed guilty of a misdemeanor, and the corporation shall forfeit and pay to the party injured a penalty of fifty (50) dollars for every such neglect or refusal, and all the damages resulting therefrom.

SEC. 33. The dissolution, for any cause whatever, of corporations created as aforesaid shall not take away or impair any remedy given against such corporations, its stockholders, or officers for any liabilities incurred previous to its dissolution.

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Ditch companies.

SEC. 84. Whenever any three or more persons associate, under the provisions of this act, to form a company for the purpose of constructing a ditch, for the purpose of conveying water to any mines, mills, or lands, to be used for mining, milling, or irrigating of lands, they shall in their certificate, in addition to the matters required in section two (2) of this act, specify as follows: The stream or streams from which the water is to be taken; the point or place on said stream at or near which the water is to be taken out; the line of said ditch, as near as may be, and the use to which the said water is intended to be applied.

SEC. 85. Any ditch company formed under the provisions of this act shall have the right of way over the line named in the certificate, and shall also have the right to run the water of the stream or streams named in the certificate through their ditch: *Provided*, That the line proposed shall not interfere with any other ditch whose rights are prior to those acquired under this act and by virtue of said certificate, except the right to cross by flume,

nor shall the water of any stream be diverted from its original channel to the detriment of any person or persons who may have priority of right.

SEC. 86. Any corporation owning any ditch or canal for conveying or reservoir for storing water for irrigating purposes, and the capital stock being fully subscribed and paid up, and when such corporation shall have no income sufficient to keep its ditch, canal, or reservoir in good repair, such corporation shall have power to make an assessment on the capital stock thereof, to be levied *pro rata* on all the shares of stock, payable in money or labor, or both, for the purpose of keeping the property of such corporation in good repair, and for the payment of any claim against such corporation not otherwise provided for. But no such assessment shall be made unless the question of making such assessment shall first be submitted to the stockholders of such corporation, at an annual meeting, or at a special meeting called for that purpose, and a majority of the stockholders, either in person or by proxy, voting thereon, shall vote in favor of making such assessments, and an action may be maintained to recover any assessment against a delinquent shareholder, as provided in section five (5) of this act.

SEC. 87. Any company constructing a ditch under the provisions of this act shall furnish water to the class of persons using the water in the way named in the certificate, in the way the water is designated to be used, whether miners, mill-men, farmers, or for domestic use, whenever they shall have water in their ditch unsold, and shall at all times give the preference to use of the water in said ditch to the class named in the certificate; the rates at which water shall be furnished to be fixed by the county commissioners as soon as such ditch shall be completed and prepared to furnish water.

SEC. 88. Every ditch company organized under the provisions of this act shall be required to keep their ditch in good condition, so that the water shall not be allowed to escape from the same to the injury of any mining-claim, road, ditch, or other property; and whenever it is necessary to convey any ditch over, across, or above any lode or mining-claim, or to keep the water so conveyed therefrom, the company shall, if necessary to keep the water of said ditch out or from any claim, flume the ditch so far as necessary to protect such claim or property from the water of said ditch.

Flume companies.

SEC. 89. When any company shall organize under the provisions of this act to form a company for the purpose of constructing a flume, their certificate, in addition to the matters required in the second section of this act, shall specify as follows: The place of beginning, the terminus, and the route so near as may be, and the purpose for which such flume is intended, and when organized, according to the provisions of this act, said company shall have the right of way over the line proposed in such certificate for such flume: *Provided*, It does not conflict with the rights of any former fluming, ditching, or other company.

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Mining companies.

SEC. 93. Any ore-reducing, mining, or tunneling company, organized under the provisions of this act, shall have the power to acquire, by purchase or otherwise, mining property, and work, mine, tunnel, and develop the same, erect necessary buildings, mills, machinery and appliances, and purchase materials for the proper working thereof, and do any and all things necessary and requisite to carry into effect the objects for which they may be formed, as named in their certificate of organization. The certificate of incorporation of any such company, in addition to the other matters required in this act to be stated therein, shall contain a statement that the stock of such company is either assessable or non-assessable, and each certificate of stock issued by any such company shall have plainly printed on the face thereof the word "assessable" or "non-assessable" as the case may be.

SEC. 94. Any mining company organized under the provisions of this act may, for the purpose of purchasing mining property and providing a capital for carrying on the business of the company, issue full-paid stock in payment of the same, which shall be non-assessable until the balance or whole amount of the capital stock shall have been assessed to the par value thereof and fully paid, after which the stock shall all be equally and ratably liable to assessment for the operations of the company: *Provided, however*, Any company may issue all its stock, assessable or non-assessable, but no company shall issue both assessable and non-assessable stock, except as provided in this section.

SEC. 95. The board of directors of any such company may make assessments upon the assessable stock of the company, but no single assessment shall exceed five (5) per cent. on the par value of said stock, and no such assessment shall be levied oftener than once in three (3) months. When the board of directors shall deem it necessary that assessments be made as aforesaid, they shall call a meeting of the stockholders, to be held at the principal office of the company, not less than thirty (30) days from the publication of such call; notice of such meeting shall be signed by the president or secretary of the company, and shall state the object of such meeting, and the time and place where the same will be held, and the same shall be published in some newspaper in the county where the operations of such company are carried on, if there be one, once each week for four (4) consecutive weeks, and also in some daily paper of general circulation at the place where the principal office of said company is located, if there be one, each day for thirty (30) days; the last publication to be at least ten (10) days before the

time appointed for such meeting, and if there be no daily paper in the place where the principal office of the company is located, then the same shall be published in a weekly paper, if there be one, once each week for four consecutive weeks before the time for such meeting, and notice shall be personally served upon each stockholder, or, in lieu of personal service, notice of such meeting shall be mailed to each stockholder at his last known place of residence; and if at such meeting the stockholders representing a majority of the stock shall vote in favor thereof, the directors or trustees shall make the assessments: *Provided*, That no assessment or assessments so authorized, or any part thereof, as provided for in this section, shall be due and payable in less than thirty (30) days from the date of such assessment.

SEC. 96. If any assessment made as hereinbefore provided, or any part thereof, shall remain due and unpaid for fifteen (15) days after the same shall be due, interest may be charged thereafter upon the amount due, the shares of stock on which the same is due may be considered delinquent and in default, and the secretary of the company may advertise such shares for sale at public auction, to the highest bidder for cash, by giving notice of such sale in some daily newspaper published at the place where the principal office of the company is located, if there is a daily paper published at such place, for ten (10) consecutive days, and if there be no daily paper, then in a weekly newspaper for two (2) weeks; said notice shall contain the numbers of the certificates of such stock, the number of shares, the amount of the assessment due and unpaid, and the time and place of sale; and in addition to the publication of the notice aforesaid, notice shall be personally served upon such delinquent stockholder in the manner as provided in section ninety-five (95) of this act, for personal notice to stockholders; and if the owner or owners of such stock shall fail to pay the amount due upon such shares, the interest upon the same, and cost of advertising, before the time fixed for such sale, the secretary shall proceed to sell the same, or such part thereof as shall be necessary to pay such assessment together with the interest and cost of advertising: *Provided*, That no fraction of a share shall be sold, and if the price for which the necessary share or shares shall be sold exceed the amount due with interest and cost, such excess shall be paid to the delinquent stockholder: *And provided further*, That no sale of delinquent stock shall take place in less than sixty (60) days from the date the assessment was made.

SEC. 97. The stock, property, and concerns of any company organized under the provisions of this act shall be managed by not less than three (3) nor more than nine (9) directors, who shall respectively be stockholders in said company, and who shall, except the first year, be annually elected by the stockholders, at such time and place as shall be directed by the by-laws of the company; and public notice of the time and place of holding such elections shall be published, not less than ten (10) days previous thereto, in a newspaper published in the place where the principal office of the company is located, if there be such a newspaper, and if not, by personal notice, as provided in section ninety-five (95) of this act; and the election shall be had by such of the stockholders as shall attend for that purpose, either in person or by proxy: *Provided*, A majority of the stock be represented. All elections shall be by ballot, and each stockholder shall be entitled to as many votes as he holds shares of stock in said company, and the persons receiving the greatest number of the votes cast shall be elected.

SEC. 98. Any ore-reducing, mining, or tunneling companies may consolidate under one organization, having all the rights and privileges of this act and amenable to all its liabilities, by complying with all its requirements hereinafter provided.

CHAP. LXVII.—MISCELLANEOUS LAWS.

AN ACT to enable counties to provide water for mining, milling, irrigating, domestic, and fire purposes. (Sess. Laws, 1874, p. 193; Gen. Laws, p. 638.)

SECTION 1. It shall be lawful for the board of commissioners of any county in this state to subscribe to the capital stock of any incorporated company organized under the laws of the state, for the purpose of constructing ditches, flumes, or other works for the supply of such county with water for mining, milling, irrigating, and domestic and fire purposes, such subscription to be paid by the issue of the bonds of said county, as hereinafter provided.

SEC. 2. Whenever any such incorporated company shall solicit the aid of such county by subscription to its capital stock, it shall submit to the board of county commissioners a statement in writing, to be filed in the office of the county clerk of such county, setting forth the source from which water is to be obtained and the proposed capacity of the ditch, flume, or pipes by which the water is to be brought, together with the number and size of the reservoirs to be constructed, and the route, as near as practicable, over which the same is to be brought, the estimated cost of the said works when completed, and the rates at which they agree to furnish water for the purposes above set forth, for the first three years after the same is in operation. Such statement shall also be accompanied with a petition of at least fifty legal voters of said county who shall have paid taxes on property, real or personal, in said county during the year preceding that in which such petition is drawn, requesting said board to call an election in said county upon the question of the issue of the bonds of such county in aid of said company, in payment of the proposed subscription to the capital stock of said company. Upon the receipt of such statement and petition the said board of county commissioners shall thereupon, within ten days thereafter, call a special election upon such

question, and enter an order on their journal therefor. Such election shall be upon notice, published in some newspaper published in said county for at least three weeks before the day named therein upon which the vote shall be taken, or if there is no newspaper published in such county, then by putting notices at the usual place of voting in the different precincts of said county for the same period. Said notice shall contain the statement of the said company as above prescribed, together with the terms and conditions upon which such stock is to be subscribed and the bonds issued, and any other matters necessary to a fair, impartial, and intelligent expression of the will of the voters of such county upon the question submitted, which question shall be as to the subscription to the capital stock of said company and the issuance of the bonds of said county in payment thereof. Such notice shall also state the time which such bonds shall run, the rate of interest they shall bear, and the manner in which they shall be paid.

SEC. 3. If a two-thirds majority of all votes cast at such election shall be in favor of the subscription to said stock and the issuance of such bonds, it shall be the duty of the said board of county commissioners to subscribe said stock and issue said bonds of said county, and to exchange the same at the par value for the stock of said company at its par value: *Provided*, That no bonds shall be issued bearing interest at a rate exceeding ten per cent. per annum: *And provided further*, That no bonds shall be issued, due and payable until fifteen years after the date thereof, except at the option of the said board of county commissioners of such county, after five years from date thereof.

SEC. 4. The board of county commissioners of any such county shall have power to levy a special tax, to be paid in cash, of not to exceed three mills on each and every dollar of property assessed and liable to taxation in such county each year, for the payment of the interest annually on such bonds, and at the end of five years it shall be the duty of such board to levy a tax not exceeding five mills on the assessed value of the property in said county, for each and every year, for the payment of the interest and principal of said bonds, and all moneys applicable to the payment of the principal of said bonds shall be applied to the payment thereof by the said board at the end of the fiscal year of such county: *Provided*, That the amount so levied each year shall be an amount sufficient at such rates to pay the amount of said bonds at maturity.

SEC. 5. No incorporated company, to whose stock any county has subscribed, shall make any discriminating rates against or in favor of any person or corporation, or charge one person or corporation more for a given amount of water for a given purpose than another, except that in cases where a small quantity of water only is required it shall be lawful for the company to make such charges as may be just and reasonable, without regard to the rates fixed for other purposes and in larger amounts.

SEC. 6. It shall be lawful, at any time after three years from the date of any bonds issued under the provisions of this act, for the board of county commissioners of any county to exchange the stock so held and subscribed by said county for the bonds of the said county, such stock to be exchanged at its par value and such bonds taken at their par value.

SEC. 7. The amount of bonds issued by any county under the provisions of this act shall in no case exceed four per cent. of the assessed value of the property situate in said county for the year preceding that in which such bonds are voted.

SEC. 8. The provisions of this act shall not apply to Arapahoe county.

CHAP. LXXIII.—ORE.

AN ACT to facilitate the recovery of ore, taken by theft or trespass, to regulate the sale and disposition of the same, and for the better protection of mine owners. (Approved February 7, 1877; Gen. Laws, p. 671.)

SECTION 1. That every person, association, or corporation that shall be engaged in the business of milling, sampling, concentrating, reducing, shipping, or purchasing ores in the state of Colorado shall keep and preserve a book in which shall be entered at the time of the delivery of each lot of ore:

First. The name of the party on whose behalf such ore is delivered, as stated.

Second. The name of the teamster, packer, or other persons actually delivering such ore, and the name of the owner of the team or pack-train delivering such ore.

Third. The weight or amount of every such lot of ore.

Fourth. The name and location of the mine or claim from which it shall be stated that the same has been mined or procured.

Fifth. The date of delivery of any and all lots or parcels of ore.

SEC. 2. Whenever affidavit shall have been made before any police magistrate of any town in this state or any justice of the peace of any county, by any person, that ore has been stolen from him, stating as near as may be the amount and value of the ore stolen, such person, upon presentation of a certified copy of such affidavit, shall have access to such book, and may examine the entries which may have been made therein during a period of fifteen days next preceding the filing of such affidavit: *Provided*, That the person making such affidavit shall, at the time of making the same, have a present interest in the product of the mine or claim from which said ore has been stolen, or in the ore alleged to have been stolen.

SEC. 3. Every person, association, or corporation that shall fail or refuse to keep the book required by the terms of the first section of this act, or shall fail or refuse to make any proper entry therein, or who shall make any false entry therein, or who shall refuse to any person who may be entitled to the same, as provided by section two (2) of this act, the right of inspection thereof, shall forfeit and pay for each and every violation of the provisions of said section a penalty of not less than fifty (50) nor more than three hundred (300) dollars, to be collected by action of debt at the suit of any person who may sue for the same. In addition to such penalty, any person, association, or corporation violating the provisions of said first section shall be liable, at the suit of the party or person aggrieved, in the proper form of action, for all damages which may accrue to any party or person by reason of any such violation. And in all actions the fact that a false entry has been made shall be *prima-facie* evidence that the same was made willfully or knowingly.

SEC. 4. If any person, association, or corporation shall fail or neglect to make the inquiries necessary to the making of the proper entries in said book, as provided by section one (1) of this act, or shall so negligently make entries therein that any lot of ore cannot be particularly identified, or so negligently that it cannot be perceived therefrom what person delivered any lot of ore or received the proceeds of the same when purchased, or shall fail to keep such book, or shall willfully suffer the same to be lost or mislaid, so that the same cannot be produced for inspection, such failure or neglect shall not excuse any party defendant in any suit brought under the preceding section from judgment for any penalty prescribed by said section.

SEC. 5. Any person, association, or corporation, or the agent of any person, association, or corporation, who shall knowingly purchase or contract to purchase, or shall make any payment for or on account of, any ore which shall have been taken from any mine or claim, by persons who have taken or may be holding possession of any such mine or claim, contrary to any penal law now in force or which may be hereafter enacted, shall be considered as an accessory after the fact to the unlawful holding or taking of such mine or claim, and upon conviction shall be subjected to the same punishment to which the principals may be liable.

SEC. 6. Any person, association, or corporation, or the agent of any person, association, or corporation engaged in the business of milling, sampling, concentrating, reducing, shipping, or purchasing ores, as aforesaid, who shall keep or use any false or fraudulent scales or weights for weighing ore, or who shall keep or use any false or fraudulent assay scales or weights for ascertaining the assay value of ore, knowing them to be false, every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding one thousand (1,000) dollars nor less than one hundred (100) dollars or imprisonment not more than one year, or both, at the discretion of the court.

SEC. 7. Any person, corporation, or association, or the agent of any person, corporation, or association engaged in the milling, sampling, concentrating, reducing, shipping, or purchasing of ores in this state, who shall, in any manner, knowingly alter or change the true value of any ores delivered to him or them, so as to deprive the seller of the result of the correct value of the same, or who shall substitute other ores for that delivered to him or them, or who shall issue any bill of sale or certificate of purchase that does not exactly and truthfully state the actual weight, assay value, and total amount paid for any lot or lots of ore purchased, or who, by any secret understanding or agreement with another, shall issue a bill of sale or certificate of purchase that does not truthfully and correctly set forth the weight, assay value, and total amount paid for any lot or lots of ore purchased by him or them, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding one thousand (1,000) dollars nor less than one hundred (100) dollars, or imprisonment not more than one year, or both, at the discretion of the court.

SEC. 8. If any person, lessee, licensee, or employé in or about any mine in this state, shall break and sever, with intent to steal, the ore or mineral from any mine, lode, ledge, or deposit in this state, or shall take, remove, or conceal the ore or mineral from any mine, lode, ledge, or deposit, with intent to defraud the owner or owners, lessee, or licensee of any such mine, lode, ledge, or deposit, such offender shall be deemed guilty of felony, and on conviction shall be punished as for grand larceny.

CHAP. LXXXIII.—PUBLIC LANDS.

(Revised Statutes, Chap. LXXII., p. 530; Gen. Laws, p. 713.)

SECTION 1. Conceding to the United States of America the primary and paramount right to dispose of the soil of this state according to the laws existing or to be enacted by Congress, and full and complete exemption from every form of taxation of their property, it is hereby declared that as between all the good citizens now residing in or who shall hereafter come to reside in this state, and as between them, or any of them, and others having or claiming, or now or hereafter pretending to have or claim, any right to occupy, possess, and enjoy any portion of the public domain situate within the boundaries of this state, and as between each and every of them, and all other persons, associations, corporations, and powers, except the government of the United States of America, the right, as the same may exist under the local laws, to occupy, possess, and enjoy any tract or portion thereof, shall be respected in law and equity in all the courts and tribunals of this state.

SEC. 2. All rights of occupancy, possession, and enjoyment of any tract or portion of the said public domain, except mining-claims, acquired after the adoption of this chapter, shall be expressed and described in a declaration in cases of original occupation, and by a deed in cases of purchase, duly acknowledged, by some officer authorized to take acknowledgments of deeds, and recorded in the office of the recorder of the county in which the land is situated.

SEC. 3. The owner of every claim or improvement on every tract or parcel of land has a transferable interest therein, which may be sold in execution or otherwise; and any sale of such improvement is a sufficient consideration to sustain a promise.

SEC. 4. All rights of occupancy, possession, and enjoyment of any tract or portion of the said public domain acquired before the seventh day of November, A. D. 1861, shall be ascertained, adjudged, and determined by the local law of the district or precinct in which such tract is situated as it existed on the day when such rights were acquired, or as it thereafter may have existed; and if there were no local laws at that time, then by the common custom then prevailing in respect to such property in the district or precinct in which it existed. All such rights of occupancy, possession, and enjoyment acquired since the said seventh day of November, A. D. 1861, shall be ascertained, adjudged, and determined by the laws of this state in force at the date of such acquisition.

SEC. 5. The declaration of an occupant of a tract or portion of the public domain, required by the second section of this chapter, shall be substantially in the following form:

To all whom these presents may concern:

Know ye, That I, A. B., of ———, in the county of ———, in the state of Colorado, do hereby declare and publish, as a legal notice to all the world, that I have a valid right to the occupation, possession, and enjoyment of all and singular that tract or parcel of land, not exceeding one hundred and sixty acres, situate, lying, and being in the township of ———, in the county of ———, in the state of Colorado, bounded and described as follows: (here insert the description), together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this —— day of ———, in the year one thousand eight hundred and ——. (To be subscribed with the full Christian and surname of the person making the application, and acknowledged in the same manner as a deed of real estate.)

SEC. 6. In all legal or equitable proceedings hereafter instituted in any court of this state, the record of any declaration, deed, or mortgage, or other muniments of right, referred to in the third and fifth sections of this chapter, shall be received, except as against the United States and all persons claiming under the United States, as presumptive evidence of the regularity of the paper itself under the local law or custom existing at the time of its execution; and if the regularity thereof shall be challenged, the burden of proving the alleged irregularity shall rest upon the party making the challenge.

SEC. 7. The declaration of every occupant of any tract or portion of the public domain, mentioned in section five of this chapter, shall not be construed to include any gold-bearing-quartz lodes, silver lodes, or gold diggings; but said lodes and diggings shall be excepted from the tract of said occupant, and shall be subject to be occupied, possessed, and enjoyed as hereinafter provided.

SEC. 8. Any person settled upon any of the public lands belonging to the United States may maintain trespass *quare clausum fregit*, trespass, ejectment, forcible entry and detainer, unlawful detainer and forcible detainer, for injuries done to the possession thereof.

SEC. 9. On the trial of any such cause the possession or possessory right of the plaintiff shall be considered as extending to the boundaries embraced by the claim of such plaintiff, so as to enable him to have and maintain either of the aforesaid actions without being compelled to prove an actual inclosure: *Provided*, That each claim shall not exceed in any case one hundred and sixty acres of land.

SEC. 10. Every such claim, to entitle the holder to maintain either of the aforesaid actions, shall be marked out so that the boundaries thereof may be readily traced and the extent of such claim easily known; and no person shall be entitled to maintain either of said actions for possession of, or injury done to, any claim unless he occupy the same, or shall have made improvements thereon to the value of one hundred dollars.

SEC. 11. A neglect to occupy such claim, or to inclose at least five acres with a reasonable fence, or plow at least five acres of the same for the period of six months, shall be considered such an abandonment as to preclude the claimants from maintaining either of the aforesaid actions.

SEC. 12. Any person who may have a title to occupy any lot or lots within any city or village plot, or any lots or mining-claim within any mining district in this state, in virtue of a certificate, deed of gift, or purchase from the original claimant or claimants, or their assigns, as well as all purchasers, under any decree or execution of any of the so-called provisional-government courts, people's or miners' courts, of the lands situate within any city or village plot, or any lots, lands, or mining-claims situate within any mining district, together with the original claimant or claimants of said lots, lands, or mining-claims, shall be entitled to maintain the actions authorized by the eighth section of this chapter against any and all persons who shall enter upon and occupy said lots, lands, or mining-

claims, or any of them: *Provided*, It shall be lawful for the citizens of any mining district to declare an abandonment of any creek, river, gulch, bank, or mining-claim a forfeiture of the rights of the claimants thereto; in which case the parties claimant shall not be enabled to maintain either of the actions mentioned in section eight of this chapter.

SEC. 13. Nothing in this chapter contained shall be construed to deny the right of the United States to dispose of any lands in this state; nor shall the fact that the title to any lots, lands, lodes, or mining-claims hath not passed from the United States be any bar to the recovery of the plaintiff in either of the actions specified in section eight of this chapter. As against the United States, and all persons holding any of said lands under the United States or the laws thereof, this chapter shall be of non-effect and void.

SEC. 14. Sections ten and eleven of this chapter are not intended, and shall not be construed, to affect or apply to mining-claims, but shall affect and be applicable to claims held or used for arable or pastoral agriculture only.

SEC. 15. Whenever any improvements may be made upon any claim held or used for arable or pastoral agriculture, or upon any building-lot, mill-site, or other lot or premises, and any person or persons shall demand of the claimant thereof to mine any portion of said claim upon which such improvements may have been made, it shall be lawful for the occupant or holder of such claim to require a good and sufficient bond, in a sum double the value of the improvements upon the land sought to be mined, from the party or parties demanding to mine upon such claim, with two or more sureties, to be approved by any justice of the peace of the township in which the claim is situate, conditioned that the said party or parties shall pay all damage which may be sustained by the occupant or holder of such claim to the improvements thereon.

SEC. 16. It shall be the duty of the said justice of the peace, by whom the bond is required to be approved, as is above recited, in case the value of the improvements cannot be agreed upon by the claimant and the party or parties seeking to mine, to appoint a day and hour to hear testimony respecting the value of the improvements which may be damaged by reason of such mining.

SEC. 17. It shall be the duty of the justice to require the sureties entering into such bond as is above required to justify, before him, each in the sum stated in said bond; and if the claimant shall except to the said sureties, or either of them, it shall be lawful for said justice, and he is hereby required, to examine said surety or sureties excepted to, on oath, touching the sufficiency of said surety or sureties; and if the justice shall find either or both of said sureties insufficient, it shall be the duty of the justice to require further sufficient surety or sureties, which shall be likewise approved, and shall justify as is above required.

SEC. 18. It shall be competent for said claimant to demand from the obligees in said bond, at any time after one week after mining shall be commenced on said claim, such sum as may be equal to the damage done the improvements thereon, and after every week it shall be competent for said claimant to make the like demand, unless the payment of the damage done or to be done said improvements shall, by the claimant, be postponed for a longer time.

SEC. 19. That when any person hath heretofore, or shall hereafter, settle upon and improve any of the public lands which have been, or shall hereafter be, donated by act of Congress to public uses, for educational or other purposes, and upon any sale of such lands by public authority subsequent to such settlement and improvement, if the person settling upon such lands shall not become the purchaser, the person becoming the purchaser of such lands shall pay to such settler the reasonable value of his improvements thereon.

SEC. 20. Whenever the parties cannot agree as to the reasonable value of such improvements, the same shall be recoverable by an action of assumpsit in the district court of the proper county.

SEC. 21. Nothing herein contained shall be construed to interfere with the right of the purchaser of any such lands to the immediate possession thereof upon the completion of his purchase.

CHAP. LXXXVII.—REVENUE.

AN ACT to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto. (Approved March 20, 1877; Gen. Laws, p. 741.)

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Definitions.

SECTION 3. Whenever the terms mentioned in this section are employed in this chapter they are employed in the sense hereinafter affixed to them:

First. The term real estate includes, first, all lands within the state to which title, or the right to title, has been acquired from the government of the United States; second, all mines, minerals, and quarries in and under the land, and all right and privileges appertaining thereto; third, improvements.

Second. The term "improvements" includes, first, all buildings, structures, fixtures, and fences erected upon or affixed to land, whether title has been acquired to said land or not.

* * * * * * * * *

SEC. 5. The following classes of property shall be exempt from taxation, to wit: first, mines and mining-claims

bearing gold, silver, and other precious metals (except the net proceeds and surface improvements thereof), for the period of ten years from the first day of July, A. D. 1876; second, ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose. * * *

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CHAP. XCI.—SCHOOL OF MINES.

AN ACT to provide for the incorporation, maintenance, management, and support of the school of mines. (Approved April 7, 1877; Gen. Laws, p. 803.)

SECTION 1. The state school of mines, located at Golden, in the county of Jefferson, is hereby declared to be a body corporate under the name of "School of Mines", and by that name may sue and be sued; may take and hold real and personal property by gift, bequest, devise, or purchase for the state, and may sell and dispose of the same when authorized so to do by law.

SEC. 2. There shall be a board of trustees of said school of mines, to be composed of five persons, who shall, except as hereinafter provided, hold their office for a period of four years and until their successors are appointed and qualified. Any three of said board of trustees shall constitute a quorum for the transaction of business, and the said board shall have such powers and perform such duties as are hereinafter specified.

SEC. 3. The first board of trustees shall be composed of the following persons, who are hereby appointed for such purpose, to wit: William A. H. Loveland, Francis E. Everett, James T. Smith, Alpheus Wright, and N. P. Hill, the first three of whom shall hold their office until the first day of February, A. D. 1881, and the other two until the first day of February, A. D. 1879.

SEC. 4. Every trustee hereafter appointed shall, before entering upon the duties of his office, take an oath to support the Constitution of the United States and the constitution of the state of Colorado, and to faithfully perform the duties of his said office of trustee to the best of his ability and understanding.

SEC. 5. The said board of trustees shall have the control and management of the said school of mines, and of the property belonging thereto, subject to the laws of this state, and may make all needful by-laws and regulations for the government of said board, and for the management and government of said school of mines, not inconsistent with the laws of this state.

SEC. 6. It shall be the object of such school of mines to furnish facilities for the education of such persons as may desire to receive special instruction in chemistry, metallurgy, mineralogy, geology, mining, mining engineering, mathematics, mechanics, and drawing.

NOTE.—Sec. 6, repealed by act approved February 12, 1881, Stats., p. 219. See also p. 220, act of February 4, 1881.

SEC. 7. The said board of trustees are hereby authorized to procure such machinery and other appliances and to make such necessary additions to the school of mines building as may be necessary to carry out the object and intention of such institution, and to promote the welfare thereof, whenever the funds provided for the support of said school of mines will warrant the same.

SEC. 8. The said school of mines shall be open and free for instruction to all *bona fide* residents of this state, without regard to sex or color, and, with the consent of said board, students from other states or territories may receive education thereat upon such terms and at such rates of tuition as the board may prescribe.

SEC. 9. The said board shall, at their first meeting, and biennially thereafter, elect one of their number president of said board, and shall also appoint a secretary and treasurer, either from their own number or other suitable persons, as they may deem best, and prescribe their duties, and may, at any time in their discretion, remove such secretary or treasurer. And the trustees hereby appointed shall hold their first meeting as soon as practicable after this act shall take effect. All meetings of said board shall be held at the town of Golden, in the county of Jefferson, in this state.

SEC. 10. The governor of this state, with the advice and consent of the senate, shall, at each regular session of the general assembly to be held after the year 1877, by appointment fill all vacancies in said board of trustees occurring either by expiration of their term of office or otherwise; and any vacancy occurring in such board when the general assembly is not in session may be temporarily filled by the governor until the next meeting of the general assembly.

SEC. 11. The president of said board shall be known as president of the school of mines, and shall annually, on or before the tenth day of December in each year, make a report to the governor of this state of the prosperity and condition of said school of mines, containing such statistical and other information pertaining thereto as he may deem necessary and useful, and also a detailed statement of the receipts and expenses of such institution.

SEC. 12. There shall be assessed and levied upon all taxable property, both real and personal, in this state, in each year, the following tax for the support of said school of mines, to wit: one-tenth (1-10) of one mill on each

dollar of the yearly assessed value of such property, to be known as the school-of-mines tax, which shall be payable only in money, and shall be assessed, levied, and collected in the same manner and at the same time as is now or may be prescribed by law for the assessment and collection of state revenue.

NOTE.—Section 12, repealed by act approved February 8, 1879, Stats., p. 158.

SEC. 13. It shall be the duty of the county treasurer of each county to keep the said fund separate from all other funds collected by him, and to transmit the amount thereof in his hands monthly to the state treasurer, who shall keep the same as a separate fund, to be known as the school-of-mines fund.

SEC. 14. The state auditor shall, from time to time, draw his warrants upon said fund, in favor of the treasurer of the school of mines, upon the presentation to him by such treasurer of the order of the president of the school of mines, countersigned by the secretary thereof, and in such sum or sums as may be necessary to defray the monthly expenditures of said institution specified in such order or orders, and the said warrants shall be paid by the state treasurer out of such fund.

SEC. 15. The said board of trustees shall require the treasurer of the school of mines to give such bond as they may deem sufficient to protect said institution against loss of any funds which may come into his hands as such treasurer, conditioned for the safe keeping and faithful disbursement thereof; and the said treasurer of the school of mines shall not pay out any of the funds which shall come into his hands as such treasurer, except upon the order of the president of the school of mines, countersigned by the secretary thereof.

SEC. 16. The unexpended balance of the appropriation made to the school of mines by the legislature of Colorado, in the year 1876, shall constitute a part of the school-of-mines fund, and shall be used for the support of said school of mines for the year ending December 31, 1877.

SEC. 17. It shall be lawful for the professor or principal of the said school of mines, who shall be appointed by the said board of trustees, to charge and collect such reasonable fees for any and all assays and analyses made by him as the said board may prescribe, an account of which shall be kept by said principal and paid over monthly to the treasurer of said school of mines, which shall become a part of the school-of-mines fund.

SEC. 18. As soon as practicable after the first board of trustees herein provided for shall be organized, all property, both real and personal, belonging to such school of mines shall be transferred and vested in the trustees herein provided for and their successors in office, in trust for the use and benefit of the state of Colorado.

SEC. 19. The school-of-mines fund shall be used solely for the support of the school of mines and for no other purpose whatever, notwithstanding any provision in the act to establish the office of commissioner of mines.

SEC. 20. This act shall not take effect unless the fee-simple title to the real estate now occupied and controlled by the said school of mines shall, within eighty days from the passage of this act, be vested in the trustees of the school of mines, free of any condition of defeasance whatsoever. When the said title shall be so vested, it shall be the duty of the attorney-general to certify such fact in writing to the state auditor, and the state auditor shall notify the county clerks of the several counties of this state of the same, in order that [the] tax herein provided may be properly levied and assessed.

NOTE.—See Chap. XV, act February 8, 1872, General Laws, p. 126; also act approved February 8, 1879, Stats., p. 158.

CHAP. LIII.—JUDGMENTS AND EXECUTIONS.

(Revised Statutes, Chap. XLVIII, p. 369; Gen. Laws, 523.)

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SECTION 26. The following property, when owned by any person being the head of a family and residing with the same, shall be exempt from levy and sale upon any execution, or writ of attachment, or distress for rent; and such articles of property shall continue exempt while the family of such person are removing from one place of residence to another within this state:

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Sixth. The tools and implements or stock in trade of any mechanic, miner, or other person, used and kept for the purpose of carrying on his trade or business, not exceeding two hundred dollars in value.

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Eighth. Working animals to the value of two hundred dollars.

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Provided, That nothing in this chapter shall be so construed as to exempt any property of any debtor from sale for the payment of any taxes whatever, legally assessed: *And provided further*, That no article of property above mentioned shall be exempt from attachment or sale on execution for the purchase money for said article of property: *And provided also, further*, That the tools, implements, working animals, books, and stock in trade, not exceeding three hundred dollars in value, of any mechanic, miner, or other person not being the head of a family, used and kept for the purpose of carrying on his trade and business, shall be exempt from levy and sale on any execution or writ of attachment while such a person is a *bona fide* resident of this state.

CHAP. LX.—LIMITATIONS.

AN ACT limiting the time for bringing actions respecting real estate. (Sess. Laws, 1874, p. 177; Gen. Laws, p. 600; Rev. Stats., Chap. LV.)

SECTION 1. That every person in the peaceable and undisputed possession of lands or tenements, including mining-claims, under claim and color of title, made in good faith, including pre-emptions made in accordance with the laws of the state of Colorado or any mining district wherein such property may be situate, who shall, for five successive years hereafter, continue in such possession, and shall also, during said time, pay all taxes legally assessed on such lands, tenements, or mining-claims, shall be held and adjudged to be the legal owners of said lands, tenements, or mining claims to the extent and according to the purport of his or her proper title or pre-emption. All persons holding under such possession by purchase, devise, or descent, before said five years shall have expired, and who shall continue such possession and continue to pay the taxes as aforesaid, so as to complete the possession of and payment of taxes for the term aforesaid, shall be entitled to the benefit of this section.

SEC. 2. Whenever a person having color of title, either by pre-emption or otherwise, as aforesaid, made in good faith, to vacant and unoccupied land or mining-claims, shall pay all taxes legally assessed thereon, or for improvements situate thereon, for five successive years, he or she shall be deemed and adjudged to be the legal owner of said vacant and unoccupied lands or mining-claims to the extent and according to the purport of his or her proper title or pre-emption. All persons holding under such tax-payer, by purchase, devise, or descent, before said five years shall have expired, and who shall continue to pay the taxes as aforesaid, so as to complete the payment of the taxes for the term aforesaid, shall be entitled to the benefit of this section: *Provided, however*, That if any person having a better paper-title or pre-emption to said vacant and unoccupied lands or mining-claims shall, during the said term of five years, pay the taxes assessed on said lands or mining-claims, or improvements thereon, for any one or more years of the said term of five years, then, in that case, such tax-payer, his heirs, and assigns shall not be entitled to the benefit of this section.

SEC. 3. The two preceding sections shall not apply to lands or tenements owned by the United States, except as to the possessory rights of parties claiming to hold such lands or mining-claims under and in accordance with the laws of the United States, the laws of this state, and the mining laws, regulations, and customs of the several mining districts wherein such land or mining-claims may be situate, nor to land held for the use of any school or seminary or for the use of any religious society, nor to lands held for any public purpose; nor shall they extend to any lands, tenements, or mining-claims when there shall be color of title, by purchase or pre-emption, in another to such lands, tenements, or mining-claims and the holder of such title is under the age of twenty-one years, insane, or imprisoned: *Provided*, Such person shall commence an action to recover such lands or mining-claims so claimed as aforesaid within one year after such disability shall cease to exist, and shall prosecute such action to judgment; and in case of vacant and unoccupied land, shall also within one year pay to the person or persons who paid the same, or to the treasurer of the county wherein the land is situate, for the use of such person or persons, all the taxes paid by such person or persons on said land or improvements, with interest thereon from the date of such payments at the rate of twenty-five per cent. per annum. Nor shall said section extend to or apply to any mining claims the title of which may be derived from pre-emption under and by virtue of the provisions of the law of the United States approved May 10, 1872, in reference to the forfeiture of mining-claims by failure to improve the same.

SEC. 4. In all cases at law or in equity brought to recover the possession of any lands, tenements, or mining-claims, except in actions of ejectment, the party defendant may plead such possession, payment of taxes, as aforesaid, in bar of such action, and on failure to plead such possession and payment of taxes, the right of the said defendant to avail himself of the benefit of said statute shall be deemed waived by the said defendant.

CODE OF CIVIL PROCEDURE, 1877.

AN ACT providing a system of procedure in civil actions in the courts of justice of the state of Colorado. (Approved March 17, 1877, p. 42.)

CHAP. VI.—ATTACHMENTS.

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SECTION 119. In all suits hereafter brought in this state to recover damages for trespass on any lode or mining property, the party bringing such suit, or his agent or attorney, may make an affidavit setting forth that the defendant or defendants in such suit, having committed a trespass or trespasses upon any lode or mining property owned or possessed by the plaintiff or plaintiffs in such suit, describing such lode or mining property, and that such plaintiff or plaintiffs have sustained substantial damage, and that he, she, or they believe that such plaintiff or plaintiffs will recover, and ought to recover, any specified sum exceeding twenty dollars, stating the amount that he, she, or they expect will and ought to be recovered, a writ of attachment shall issue against the goods, chattels, and real estate of such defendant or defendants, returnable as in other cases of attachment prescribed in this chapter, and the plaintiff or plaintiffs in such writ of attachment may cause such writ of attachment to be levied on the ore or quartz taken from such lode or mining property by the defendant.

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CHAP. XLI.—INSPECTION OF DOCUMENTS, AND MISCELLANEOUS PROVISIONS AS TO RECORDS, WRITINGS, ETC.

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SECTION 386. In actions respecting mining-claims, proof shall be admitted of the customs, usages, and regulations established and in force in the mining districts embracing such claim; and such customs, usages, and regulations, when not in conflict with the laws of this state or of the United States, shall govern the decision of the action.

SEC. 387. Whenever any person, company, or corporation shall have any right to, or interest in, any mine, lead, lode, or mining-claim which is in the possession of another person, company, or corporation, and for which a cause is pending in a court of record bringing into question the right or title to the same, and it shall be necessary for the ascertainment, enforcement, or protection of such right or interest that an inspection, examination, or survey of such mine, lead, lode, or mining-claim should be had or made, or whenever an inspection, examination, or survey of any mine, lead, lode or mining-claim shall be necessary to ascertain, protect, or enforce the right or interest of any person, company, or corporation in another mine, lead, lode, or mining-claim, and the person, company, or corporation in possession of such mine, lead, lode, or mining-claim of which an inspection, examination, or survey is necessary shall refuse, after three days' demand thereof in writing, to allow or permit such inspection, examination, or survey to be had or made, the party, company, or corporation desiring an inspection, examination, or survey of such mine, lead, lode, or mining-claim may present to the district court, or the judge thereof, of the county wherein the mine, lead, lode, or mining-claim of which an inspection, examination, or survey is desired is situated, a petition, under oath, setting out his or their right to, or interest in, such mine, lead, lode or mining-claim, describing it, the possession thereof, or of another mine, lead, lode, or mining-claim of which an inspection, examination, or survey is necessary by another company or corporation, the reason why it is necessary that such inspection, examination, or survey should be had or made, the demand made on the person, company, or corporation in possession to allow or permit such inspection, examination, or survey, and his or their refusal to allow or permit the same, and asking an order for the inspection, examination, or survey of such mine, lead, lode, or mining-claim, the court or judge may thereupon appoint a time and place for hearing such petition, and shall order notice thereof to be served on the adverse party, company, or corporation, which notice shall be served at least three days before the day of hearing. At the time and place appointed the court or judge shall proceed to hear the petition. Either party may read affidavits on the hearing in the same manner and subject to the same rules as on application to dissolve an injunction. If the court or judge be satisfied that the facts stated in the petition are true, an order shall be made for an inspection, examination, or survey of the mine, lead, lode, or mining-claim in question, in such manner, at such time, and by such persons as are mentioned in the order. Such persons shall thereupon have free access to such mine, lead, lode, or mining-claim for the purpose of such inspection, examination, or survey, in conformity with the order of the court or judge, and any interference with such persons while acting under such order shall be a contempt of court, and punished accordingly: *Provided*, That only three witnesses beside the surveyor shall be admitted on the part of the petitioner, and the costs of the proceeding shall abide the result of the suit.

SESSION LAWS, 1879.

AN ACT relating to location and representation of placer mining-claims, p. 140.

Be it enacted by the general asssembly of the state of Colorado. SECTION 1. The discoverer of a placer-claim shall, within thirty days from the date of discovery, record his claim in the office of the recorder of the county in which said claim is situated, by a location certificate, which shall contain: First, the name of the claim, designating it as a placer-claim; second, the name of the locator; third, the date of location; fourth, the number of acres or feet claimed; and, fifth, a description of the claim by such reference to natural objects or permanent monuments as shall identify the claim. Before filing such location certificate the discoverer shall locate his claim: First, by posting upon such claim a plain sign or notice containing the name of the claim, the name of the locator, the date of discovery, and the number of acres or feet claimed; second, by marking the surface-boundaries with substantial posts, and sunk into the ground, to wit: one at each angle of the claim.

SEC. 2. On each placer-claim of one hundred and sixty acres or more, heretofore or hereafter located, and until a patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made by the first day of August, 1879, and by the first day of August of each year thereafter. On all placer-claims containing less than one hundred and sixty acres the expenditure during each year shall be such proportion of one hundred dollars as the number of acres bears to one hundred and sixty. On all placer-claims containing less than twenty acres, the expenditure during each year shall not be less than twelve dollars; but when two or more claims lie contiguous and are owned by the same person, the expenditure hereby required for each claim may be made on any one claim; and upon a failure to comply with these conditions, the claim or claims upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made: *Provided*, That the original locators, their heirs, assigns, or legal representatives have not resumed work

upon the claim after failure and before such location: *Provided*, The aforesaid expenditures may be made in building or repairing ditches to conduct water upon such ground, or in making other mining improvements necessary for the working of such claim. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required hereby, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, to wit, the first of August, 1879, for the locations heretofore made, and one year from the date of locations hereafter made, give such delinquent co-owner personal notice in writing, or, if he be a non-resident of the state, a notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and mailing him a copy of such newspaper, if his address be known, and if at the expiration of ninety days after such notice in writing, or after the first publication of such notice, such delinquent should fail or refuse to contribute his proportion of the expenditure required by this action, his interest in the claim shall become the property of his co-owners who have made the required expenditures.

NOTE.—The foregoing act was filed in the office of the secretary of state by the governor March 12, 1879, without his signature, and became a law under section eleven of article four of the constitution of the state of Colorado.

AN ACT to amend chapter nineteen (19) of the general laws of the state of Colorado, entitled "Corporations". (Approved February 8, 1879, p. 38.)

SECTION 1. That section twelve (12) of chapter nineteen (19) of the general laws of the state of Colorado, entitled "Corporations", be, and the same is hereby, amended by striking out the words "within sixty days" and "within the said sixty days" where they occur therein, so that the said section, as amended, shall read: The president and a majority of the directors or trustees, after the payment of the last installment of the capital stock so fixed and limited by the company, shall make a certificate stating the amount of the capital so fixed and paid in, which certificate shall be signed and sworn to by the president and a majority of the directors or trustees, and they shall record the same in the office of the secretary of state, and a copy in the office of the recorder of deeds of the county wherein the business of said company is carried on.

NOTE.—Sections 2 and 3 refer to savings-banks and religious corporations.

SEC. 4. Whenever the shareholders of any corporation, representing one-third or more of the stock thereof, shall request the trustees, president, or secretary thereof to call a special meeting of the stockholders for any purpose designated in such request (other than the purposes named in sections one hundred and twenty-two and one hundred and twenty-five of the chapter to which this is amendatory), it shall be the duty of such trustees, president, or secretary at once to call such special meeting, by delivering personally, or depositing in the post-office, a notice, properly addressed to each stockholder, signed by the president or secretary, stating the object and place of such meeting, as well as the time, which shall not be less than thirty nor more than forty days from the date of such notice, unless a longer time be expressed in the stockholders' request. If at any such special meeting the vote of a majority of all the stock lawfully issued shall be cast in favor of the proposition or measure designated in such request and notice, such proposition or measure shall thereby be adopted, and be binding on such corporation or company. The vote at every such meeting shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in said corporation.

AN ACT to provide a revenue for the support of the school of mines at Golden, and to repeal section twelve of chapter ninety-one of the general laws. (Approved February 8, 1879, p. 158.)

SECTION 1. That for the years 1879 and 1880 there shall be assessed and levied upon all taxable property, both real and personal, in this state, in each of said years, the following tax for the support of the school of mines, located at Golden, to wit: One-fifth (1-5) of one mill on each dollar of the yearly assessed value of such property, to be known as the school-of-mines tax, which shall be payable only in money, and shall be assessed, levied, and collected in the same manner and at the same time in each year as is now or may hereafter be prescribed for the assessment and collection of state revenue.

SEC. 2. The money raised by said tax shall be used for no other purpose than those purposes specified in said chapter ninety-one of the general laws, and shall be paid out by the state treasurer in the manner provided by section fourteen of chapter ninety-one of the general laws.

SEC. 3. Section twelve of chapter ninety-one of the general laws of this state is hereby repealed.

SESSION LAWS, 1881.

AN ACT to repeal chapter fifteen (XV) of the general laws of the state of Colorado, p. 62.

NOTE.—This act was filed in the office of the secretary of state by the governor March 15, 1881, without his signature, and became a law under and by virtue of the provisions of section eleven of article four of the constitution of the state of Colorado.

SECTION 1. That chapter fifteen (XV) of the general laws of the state of Colorado be, and the same is hereby, repealed.

SEC. 2. In the opinion of the general assembly an emergency exists; therefore this act shall take effect from and after its passage.

NOTE.—Chap. XV, hereby repealed, is "An act to establish the office of commissioner of mines", etc. (Gen. Laws, p. 126.)

AN ACT to permit domestic corporations doing business in other states to accept the laws of other states and territories. (Approved February 9, 1881, p. 67.)

SECTION 1. It shall and may be lawful for any corporation created or existing under the laws of this state for the purpose, among others, of exercising its franchises or carrying on part of its business beyond the limits of this state, and in another state or territory of the United States or elsewhere, to accept any law of such other state or territory of the United States, or foreign state and government, and to exercise within the territory of such other state or territory, or foreign state and government, all such authorities, powers, privileges, rights, and franchises as may be by such laws conferred, subject to such duties, liabilities, and restrictions as may by such laws be imposed.

AN ACT to secure liens to mechanics and others, and to repeal all other acts in relation thereto. (Approved February 12, 1881, p. 168.)

SECTION 1. All persons performing work or labor, or furnishing materials by contract, express or implied, with another or his agent, to the amount of not less than twenty-five dollars, on or for any structure upon the land of that other, or in or to which that other has an interest, tenancy, or claim of any sort whatever, shall have a lien upon such land and structure to the extent of such ownership, interest, claim, or tenancy at the time of the commencement of such work or labor, or furnishing such materials, and a lien on such structure where the other has no ownership, interest, tenancy, or claim of, in, or to such land, on complying with the terms of this act.

SEC. 2. Claimants of such lien shall file in the office of the clerk and recorder of the county wherein said land is situate, within forty days after the last of the labor is performed or materials furnished, a notice of claim substantially like the following:

[Place and date.]

To A. B. ——:

You are indebted to me in the sum of —— dollars for work and labor done (or materials furnished, as the case may be) by me, under a contract with you (or your agent), on the structure recently built (or repaired) by you, on lots ——, in block ——, in this city (or town), for which sum I claim a lien on said lots and structure.

C. D.

And said statement shall be sworn to by the party making the same before a competent officer, and said oath certified substantially in following form:

STATE OF COLORADO,
—— *County, ss:*

C. D., being this day duly sworn by me deposed and said that the sum of money mentioned in foregoing statement is justly due him from said A. B.

[Date.] E. F., *Notary Public.* [SEAL.]

SEC. 3. It shall be the duty of the county clerk and recorder to record such statement in a separate book provided for that purpose, and from the time of such filing the amount so stated shall become a lien on said land or structure, or both, to the extent of the ownership, interest, claim, or tenancy as aforesaid of the debtor, subject, nevertheless, to adjudication as hereinafter set forth.

NOTE.—By section 4 subcontractors and others are to have liens and service of statement on owner or agent provided for. Section 5 provides notice as in section 2. Section 6 refers to building-lots.

SEC. 7. The provisions of this act shall also apply to contractors, subcontractors, mechanics, miners, laborers, and material-men performing work or labor or furnishing materials to the amount of not less than twenty-five dollars for the construction or repair of any railroad, tramway, toll-road, canal, water ditch, flume, aqueduct, or reservoir, or in or upon any mine, lode, or deposit yield [yielding] metals or mineral of any kind, or which is being worked in search of such metals or minerals, or upon any shaft, tunnel, adit, drift, or other excavation designed or used for the purpose of draining or working any such mine, lode, or deposit, and all such persons shall respectively have a lien, whether as contractors, subcontractors, mechanics, miners, laborers, or material-men, upon such railroad, tramway, toll-roads, canals, water ditch, flume, aqueduct, or reservoir, and all the franchises, charter privileges, priority of rights of water, and rights of way that may in anywise pertain to any such railroads, tramways, toll-roads, canals, water ditches, flumes, aqueducts, or reservoirs, and upon such mines, lodes, or deposits, and they shall claim and enforce the said liens in like manner as is herein provided as to liens claimed by the same class of persons in other

cases: *Provided*, That when two or more such lodes or deposits, owned or claimed by the same person or persons, shall be worked through a common shaft, tunnel, incline, adit, or drift, then all the lodes or deposits so worked shall for the purposes of this act be deemed one mine: *And provided further*, That this section shall not be deemed to apply to the owner or owners of any mine, lode, deposit, shaft, adit, or drift where the same shall be worked by a lessee or lessees.

NOTE.—The remaining sections of this act relate to notice, manner of enforcement of the lien, etc.

AN ACT to repeal section six of chapter ninety-one (91) of the general laws of Colorado concerning the "school of mines," and to enact a section in lieu thereof, to be known as section six of said chapter. (Approved February 12, 1881, p. 219.)

SECTION 1. That section six of chapter ninety-one of the general laws of Colorado is hereby repealed, and the following shall stand in place thereof, and be known as section six of said chapter: "Sec. 6. The said school of mines shall have for its object to furnish such instruction as is provided for in like technical schools of a high grade, and may, by its board of trustees, confer all degrees appropriate to the courses of study pursued."

NOTE.—See act approved February 4, 1881, (Stats., p. 220.)

AN ACT to provide a fund for the support of the school of mines, located at Golden, Colorado. (Approved February 4, 1881, p. 220.)

SECTION 1. That to provide a fund for the support and maintenance of the state "school of mines", located at Golden, there shall be assessed and levied annually upon all taxable property in this state the following tax, to wit: One-fifth (1-5) of one mill on each dollar of the yearly assessed value of such property, which shall be known as the "school of mines" tax, and shall be levied and collected at the same time and in the same manner provided by law for the assessment and collection of state taxes.

SEC. 2. The fund aforesaid shall be used for the support and maintenance of the state school of mines, located at Golden, and for no other purpose.

DAKOTA.

REVISED CODES, 1877: POLITICAL CODE.

AN ACT to establish a political code for the territory of Dakota. (Approved February 17, 1877, p. 142.)

CHAP. XXXI.—MINES AND MINING.

Location and size of lodes and mining-claims.

SECTION 1. *Length of lode.*—The length of any lode-claim hereafter located within this territory may equal but shall not exceed fifteen hundred feet along the vein or lode.

SEC. 2. *Width of lode.*—The width of lode-claims shall be one hundred and fifty feet on each side of the center of the vein or crevice: *Provided*, That any county may, at any general election, determine upon a greater width, not exceeding three hundred feet on each side of the center of the vein or lode, by a majority of the legal votes cast at said election, and any county, by such vote at such election, may determine upon a less width than above specified: *Provided*, That not less than twenty-five feet on each side of the vein or lode shall be prohibited.

SEC. 3. *Discoverer to record his claim.*—That the discoverer of a lode shall, within twenty days from the date of discovery, record his claim in the office of the register of deeds of the county in which such lode is situated, by a location certificate, which shall contain:

1. The name of the lode.
2. The name of the locator.
3. The date of location.
4. The number of feet in length claimed on each side of the discovery shaft.
5. The number of feet in width claimed on each side of the vein or lode.
6. The general course of the lode, as near as may be.

NOTE.—Discoverer entitled to *sixty* days before recording. See act February 28, 1881, Session Laws, 1881, p. 123.

SEC. 4. *When certificate void.*—Any location certificate of a lode-claim which shall not contain the name of the lode, the name of the locator, the date of location, the number of lineal feet claimed on each side of the discovery shaft, the number of feet in width claimed, the general course of the lode, and such description as shall identify the claim with reasonable certainty, shall be void.

SEC. 5. *Manner of locating claim.*—Before filing such location certificate the discoverer shall locate his claim by first sinking a discovery shaft thereon sufficient to show a well-defined mineral vein or lode; second, by posting

at the point of discovery, on the surface, a plain sign or notice containing the name of the lode, the name of the locator, and the date of discovery, the number of feet claimed in length on either side of the discovery, and the number of feet in width claimed on each side of the lode; third, by marking the surface-boundaries of the claim.

SEC. 6. *Marking surface-boundaries.*—Such surface-boundaries shall be marked by eight (8) substantial posts, hewed or blazed on the side or sides facing the claim, and sunk in the ground, to wit, one at each corner, and one at the center of each side-line, and one at each end of the lode. When it is impracticable on account of rock or precipitous ground to sink such posts, they may be placed in a monument of stone.

SEC. 7. *Requisite of location.*—Any open cut, cross cut, or tunnel, at a depth sufficient to disclose the mineral vein or lode, or an adit of at least ten (10) feet in along the lode from the point where the lode may be in any manner discovered, shall be equivalent to a discovery shaft.

SEC. 8. *Time discoverer has to perform labor.*—The discoverer shall have thirty days from the time of uncovering or disclosing a lode to sink a discovery shaft thereon.

SEC. 9. *Certificate construed to contain.*—The location or location certificate of any lode-claim shall be construed to include all surface-ground within the surface-lines thereof, and all lodes and ledges throughout their entire depth the top or apex of which lie inside of such lines extended vertically with such parts of all lodes or ledges as continue by dip beyond the side-lines of the claim, but shall not include any portion of such lodes or ledges beyond the end-lines of the claim or the end-lines continued, whether by dip or otherwise, or beyond the side-lines in any other manner than by the dip of the lode.

SEC. 10. *Claim not beyond exterior lines.*—If the top or apex of the lode in its longitudinal course extends beyond the exterior lines of the claim at any point on the surface, or as extended vertically downward, such lode may not be followed in its longitudinal course beyond the point where it is intersected by the exterior.

SEC. 11. *Claims subject to right of way.*—All mining-claims now located, or which may be hereafter located, shall be subject to the right of way of any ditch or flume for mining purposes, or of any tramway or pack-trail which is now in use, or which may be hereafter laid out across any such location: *Provided, always,* That such right of way shall not be exercised against any location duly made and recorded, and not abandoned prior to the establishment of the ditch, flume, tramway, or pack-trail, without consent of the owners, except by condemnation, as in case of land taken for public highways. Parol consent to the location of any such easement, accompanied by the completion of the same over the claim, shall be sufficient without writing: *And provided further,* That such ditch or flume shall be so constructed that the water from such ditch or flume shall not injure vested rights by flooding or otherwise.

SEC. 12. *Owner may demand security from miner.*—When the right to mine is in any case separate from the ownership or right of occupancy to the surface, the owner or rightful occupant of the surface may demand satisfactory security from the miner, and, if it be refused, may enjoin such miner from working until such security is given. The order for injunction shall fix the amount of bond.

SEC. 13. *Filing an amended certificate.*—If at any time the locator of any mining-claim heretofore or hereafter located, or his assigns, shall apprehend that his original certificate was defective, erroneous, or that the requirements of the law had not been complied with before filing, or shall be desirous of changing his surface boundaries, or of taking in any part of an overlapping claim which has been abandoned, or in case the original certificate was made prior to the passage of this law and he shall be desirous of securing the benefit of this act, such locator, or his assigns, may file an additional certificate subject to the provisions of this act: *Provided,* That such relocation does not interfere with the existing rights of others at the time of such relocation, and no such relocation or the record thereof shall preclude the claimant or claimants from proving any such title or titles as he or they may have held under previous locations.

SEC. 14. *Work performed annually.*—The amount of work to be done or improvements made during each year to hold possession of a mining-claim shall be that prescribed by the laws of the United States, to wit, one hundred dollars annually.

SEC. 15. *Affidavit of labor to be made.*—Within six months after any set time or annual period herein allowed for the performance of labor or making improvements upon any lode-claim, the person on whose behalf such outlay was made, or some person for him, shall make and record an affidavit in substance as follows:

TERRITORY OF DAKOTA,
County of ———, *ss:*

Before me, the subscriber, personally appeared ——— ———, who, being duly sworn, says at least ——— dollars' worth of work or improvements were performed or made upon (here describe claim or claims, or part thereof), prior to the ——— day of ———, A. D. 18—, situate in ——— mining district, county of ———, territory of Dakota. Such expenditure was made by or at the expense of ——— ———, owner of said claim, for the purpose of holding said claim.

(Jurat.) (Signature.)

And such certificate, when recorded in the office of the register of deeds of the county wherein such claim is located, shall be *prima-facie* evidence of the performance of such labor.

SEC. 16. *Relocating abandoned claims.*—The relocation of abandoned lode-claims shall be by sinking a new discovery shaft and fixing new boundaries, in the same manner as if it were the location of a new claim, or the relocator may sink the original shaft, cut, or adit to a sufficient depth to comply with sections five and seven of this chapter, and erect new or adopt the old boundaries, renewing the posts if removed or destroyed. In either case a new location stake shall be erected. In any case, whether the whole or part of an abandoned claim is taken, the location certificate must state that the whole or any part of the new location is located as abandoned property.

SEC 17. *One certificate one location.*—No location certificate shall claim more than one location, whether the location be made by one or several locators; and if it purport to claim more than one location, it shall be absolutely void except as to the first location therein described; and if they are described together, or so that it cannot be told which location is first described, the certificate shall be void as to all.

SEC. 18. *Fee for recording.*—The register of deeds shall be entitled to receive the sum of one dollar for each location certificate recorded and certified by him, and shall furnish the locator or locators with a certified copy of such certificate, when demanded, for which he shall be entitled to receive fifty cents.

Disputed mining property.

SEC. 19. *Judge may order survey of mine—Limitations.*—In all actions in any district court of this territory, wherein the title or right of possession to any mining-claim shall be in dispute, the said court, or the judge thereof, may, upon application of any of the parties to such suit, enter an order for the underground as well as the surface survey of such part of the property in dispute as may be necessary to a just determination of the question involved. Such order shall designate some competent surveyor, not related to any of the parties to such suit, or in anywise interested in the result of the same; and, upon the application of the party adverse to such application, the court may also appoint some competent surveyor, to be selected by such adverse applicant, whose duty it shall be to attend upon such survey and observe the method of making the same; said second survey to be at the cost of the party asking therefor. It shall also be lawful in such order to specify the names of witnesses named by either party, not exceeding three on each side, to examine such property, who shall be allowed to enter into such property and examine the same; such court, or the judge thereof, may also cause the removal of any rock, débris, or other obstacle in any of the drifts or shafts of said property, when such removal is shown to be necessary to a just determination of the question involved: *Provided, however*, That no such order shall be made for survey and inspection, except in open court or in chambers, upon notice of application of such order of at least six days, and not then except by agreement of parties, or upon the affidavit of two or more persons that such survey and inspection is necessary to the just determination of the suit, which affidavits shall state the facts in such case, and wherein the necessity for survey exists; nor shall such order be made unless it appears that the party asking therefor had been refused the privilege of survey and inspection by the adverse party.

SEC. 20. *Judge to issue writs of injunction.*—The district courts, or any judge thereof, sitting in chancery, shall have, in addition to the power already possessed, power to issue writs of injunction for affirmative relief, having the force and effect of a writ of restitution, restoring any person or persons to the possession of any mining property from which he or they may have been ousted by force and violence, or by fraud, or from which they are kept out of possession by threats, or whenever such possession was taken from him or them by entry of the adverse party on Sunday or a legal holiday, or while the party in possession was temporarily absent therefrom. The granting of such writ to extend only to the right of possession, under the facts of the case, in respect to the manner in which the possession was obtained, leaving the parties to their legal rights on all other questions as though no such writ had issued.

REVISED CODES, 1877: CIVIL CODE.

AN ACT to provide a civil code for the territory of Dakota. (Approved February 16, 1877; Rev. Codes, p. 254.)

CHAP. III.—ART. I.—THE CREATION OF CORPORATIONS.

SECTION 384. *Private, limited.*—Private corporations can be formed by the voluntary association of any three or more persons, and only as provided in this chapter. The legislative assembly cannot grant private charters or especial privileges, but they may, by general incorporation acts, permit persons to associate themselves together as bodies corporate, for mining, manufacturing, and other industrial pursuits, or the construction or operation of railroads, wagon roads, irrigating ditches, and the colonization and improvement of lands in connection therewith; or for colleges, seminaries, churches, libraries, or any benevolent, charitable, or scientific association, and for such other purposes as Congress may hereafter authorize. [Section 1889 of the Revised Statutes of the United States.]

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SEC. 386. *Contents of articles.*—Articles of incorporation must be prepared setting forth:

1. The name of the corporation.
2. The purpose for which it is formed.

3. The place where its principal business is to be transacted.

4. The term for which it is to exist.

5. The number of its directors or trustees, and the names and residences of such of them who are to serve until the election of such officers, and their qualifications.

6. If there be a capital stock, its amount and the number of shares into which it is divided.

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SEC. 388. *Three residents.*—The articles of incorporation must be subscribed by three or more persons, one-third of whom must be residents of this territory, and acknowledged by each before some officer authorized to take and certify acknowledgments of conveyances of real property.

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SEC. 389. *Secretary's certificate.*—Upon filing the articles of incorporation with the secretary of the territory, the secretary of the territory must issue to the corporation, over the great seal of the territory, a certificate that a copy of the articles containing the required statement of facts has been filed in his office; and thereupon the persons signing the articles, and their associates and successors, shall be a body politic and corporate, by the name and for the purposes stated in the certificate.

SEC. 390. *Record by secretary.*—Upon the filing of any articles of incorporation and copy thereof, as in the last section is prescribed, the secretary of the territory must record the same in a book to be kept in his office for that purpose, to be called "the book of corporations", with the date of filing.

SEC. 391. *Copy—Evidence.*—A copy of any articles of incorporation filed in pursuance of this chapter, and certified by the secretary of the territory, must be received in all courts and other places as *prima-facie* evidence of the facts therein stated, and of the existence of such corporation.

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ART. II.—*Corporate stock.*

SEC. 395. *Subscription enforced.*—A subscription to the stock of a corporation about to be formed is to be held for the benefit of the corporation when it is formed, and may be enforced by it.

SEC. 396. *Books opened.*—After the secretary of the territory issues the certificate of incorporation, as provided in section three hundred and eighty-nine, article one, of this chapter, the directors named in the articles of incorporation must proceed in the manner specified or provided in their by-laws; or, if none, then in such manner as they may by order adopt, to open books of subscription to the capital stock then unsubscribed, and to secure subscriptions to the full amount of the fixed capital, and to levy assessments and installments thereon, and to collect the same, as in article six of this chapter assessments of stock are provided to be made.

SEC. 397. *Forfeit or recover.*—When a corporation is authorized by the terms of subscription, or otherwise, to forfeit stock for non-payment, it may either forfeit the stock or recover the amount of the subscription, but it cannot do both.

SEC. 398. *Stock negotiable.*—1. All corporations for profit must issue certificates of stock when fully paid up, signed by the president and secretary, and may provide in their by-laws for issuing certificates prior to the full payment, under such restrictions and for such purposes as their by-laws may provide.

2. Whenever the capital stock of any corporation is divided into shares, and certificates therefor are issued, such shares of stock are personal property, and may be transferred by indorsement by the signature of the proprietor, or his attorney or legal representative, and delivery of the certificate; but such transfer is not valid, except between the parties thereto, until the same is so entered upon the books of the corporation as to show the names of the parties by and to whom transferred, the number or designation of the shares, and the date of the transfer.

SEC. 399. *Excess void.*—A corporation whose capital is limited by its charter, either in amount or in number of shares, cannot issue valid certificates in excess of the limit thus prescribed.

SEC. 400. *Corporation owning stock.*—Unless otherwise provided, a corporation may purchase, hold, and transfer shares of its own stock from its surplus profits, or as provided in the article on assessments of stock.

SEC. 401. *Dividend to whom.*—A dividend belongs to the person in whose name the stock stands upon the books of the corporation on the day when it becomes payable.

ART. III.—*Corporate powers.*

SEC. 402. *Powers classed.*—Every corporation, as such, has power:

1. To have succession, by its corporate name, for the period limited; and when no period is limited, perpetually.

2. To sue and be sued; to complain and defend in any court.

3. To make and use a common seal, and alter the same at pleasure.

4. To purchase, hold, transfer, and convey such real and personal property as the legitimate purposes of the corporation may require, not exceeding in any case any amount limited by law.

5. To appoint such subordinate officers and agents as the business of the corporation may require and to allow them suitable compensation.

6. To make by-laws, not inconsistent with the law of the land, for the management of its property, the regulation of its affairs, and for the transfer of its stock.

7. To admit stockholders or members, and to sell their stock or shares for the payment of assessments or installments.

8. To enter into any obligations or contracts essential to the transaction of its ordinary affairs, or for the purposes of the corporation.

In addition to the above-enumerated powers, and to those expressly given in any other statute under which it is incorporated, no corporation shall possess or exercise any corporate powers except such as are necessary to the exercise of the powers enumerated and given.

SEC. 403. *By-laws—Who adopt.*—Every corporation formed under this chapter must, within one month after filing articles of incorporation, adopt a code of by-laws for its government not inconsistent with the laws of the United States or of this territory. The assent of stockholders representing a majority of all the subscribed capital stock, or of a majority of the members if there be no capital stock, is necessary to adopt by-laws, if they are adopted, at a meeting called for that purpose; and in the event of such meeting being called, two weeks' notice of the same by advertisement in some newspaper published in the county in which the principal place of business of the corporation is located, or if none is published therein, then in a paper published in an adjoining county, must be given by order of the acting president. The written assent of the holders of two-thirds of the stock, or of two-thirds of the members, if there be no capital stock, shall be effectual to adopt a code of by-laws without a meeting for that purpose.

SEC. 404. *Scope of by-laws.*—A corporation may by its by-laws, where no other provision is specially made, provide:

1. The time, place, and manner of calling and conducting its meetings;
2. The number of stockholders or members constituting a quorum;
3. The mode of voting by proxy;
4. The time of the annual election for directors, and the mode and manner of giving notice thereof;
5. The compensation and duties of officers;
6. The manner of election, and the tenure of office of all officers other than the directors; and,
7. Suitable penalties for violations of by-laws, not exceeding in any case one hundred dollars for any one offense.

SEC. 405. *Record—Certificate—Repeal of by-laws.*—All by-laws adopted must be certified by a majority of the directors and secretary of the corporation, and copied in a legible hand in some book kept in the office of the corporation, to be known as "the book of by-laws", and no by-law shall take effect until so copied, and the book shall then be opened to the inspection of the public during office hours of each day except holidays. The by-laws may be repealed or amended, or new by-laws may be adopted at the annual meeting, or at any other meeting of the stockholders or members, called for that purpose by the directors, by a vote representing two-thirds of the subscribed stock, or by two-thirds of the members; or the power to repeal and amend the by-laws, and to adopt new by-laws, may, by a similar vote at any such meeting, be delegated to the board of directors. The power when delegated may be revoked by a similar vote at any regular meeting of the stockholders or members. Whenever any amendment or new by-law is adopted, it shall be copied in the book of by-laws with the original by-laws, and immediately after them, and shall not take effect until so copied. If any by-law be repealed, the fact of repeal, with the date of the meeting at which the repeal was enacted, shall be stated in the said book, and until so stated the repeal shall not take effect.

SEC. 406. *Election of directors.*—1. The directors of a corporation must be elected annually by the stockholders or members, and if no provision is made in the by-laws for the time of election, the election must be held on the first Tuesday in June. Notice of such election must be given, and the right to vote determined, as provided in section four hundred and three.

2. At the first meeting at which the by-laws are adopted, or at such subsequent meeting as may be then designated, directors must be elected to hold their offices for one year and until their successors are elected and qualified.

3. All elections of directors must be by ballot, and a vote of stockholders representing a majority of the subscribed capital stock, or of a majority of the members, is necessary to a choice. If there be capital stock in the corporation, each stockholder is entitled to one vote for each share held by him at all such elections, and also at all elections at other meetings of stockholders.

SEC. 407. *Number and power of directors.*—The corporate powers, business, and property of all corporations formed under this chapter must be exercised, conducted, and controlled by a board of not less than three nor more than eleven directors, to be elected from among the holders of stock; or, where there is no capital stock, then from the members of such corporation. Directors of corporations for profit must be holders of stock therein in an amount to be fixed by the by-laws of the corporation. Directors of all other corporations must be members thereof. Unless a quorum is present and acting no business performed or act done is valid as against the corporation.

Whenever a vacancy occurs in the office of director, unless the by-laws of the corporation otherwise provide, such vacancy must be filled by an appointee of the board.

SEC. 408. *Organization.*—Immediately after their election the directors must organize by the election of a president, who must be one of their number, a secretary, and treasurer. They must perform the duties enjoined on them by law and the by-laws of the corporation. A majority of the directors is a sufficient number to form a board for the transaction of business, and every decision of a majority of the directors forming such board, made when duly assembled, is valid as a corporate act.

SEC. 409. *Dividends, debts, bad faith, limitations, and penalty.*—The directors of corporations must not make dividends except from the surplus profit arising from the business thereof; nor must they divide, withdraw, or pay to the stockholders, or any of them, any part of the capital stock; nor must they create debts beyond their subscribed capital stock, or reduce or increase their capital stock, except as specially provided by law. For a violation of the provisions of this section the directors under whose administration the same may have happened (except those who may have caused their dissent therefrom to be entered at large on the minutes of the directors at the time, or were not present when the same did happen), are, in their individual and private capacity, jointly and severally liable to the corporation and to the creditors thereof, in the event of its dissolution, to the full amount of the capital stock so divided, withdrawn, paid out, or reduced, or debt contracted; and no statute of limitations is a bar to any suit against such directors for any sums for which they are made liable by this section. There may, however, be a division and distribution of the capital stock of any corporation which remains after the payment of all its debts upon its dissolution or the expiration of its term of existence.

2. Any officer of a corporation who willfully gives a certificate, or willfully makes an official report, public notice, or entry in any of the records or books of the corporation, concerning the corporation or its business which is false in any material representation, shall be liable for all the damages resulting therefrom to any person injured thereby; and if two or more officers unite or participate in the commission of any of the acts herein designated, they shall be jointly and severally liable.

SEC. 410. *Removal of directors.*—No director shall be removed from office, unless by a vote of two-thirds of the members, or of stockholders holding two-thirds of the capital stock, at a general meeting held after notice of the time and place and of the intention to propose such removal. Meetings of stockholders for this purpose may be called by the president, or by a majority of the directors, or by members or stockholders holding at least one-half of the votes. Such calls must be in writing and addressed to the secretary, who must thereupon give notice of the time, place, and object of the meeting, and by whose order it was called. If the secretary refuse to give the notice, or if there is none, the call may be addressed directly to the members or stockholders, and be served as a notice, in which case it must specify the time and place of meeting. The notice must be given in the manner provided in section four hundred and three, unless other express provision has been made therefor in the by-laws. In case of removal the vacancy may be filled by election at the same meeting.

SEC. 411. *Quorum—Proxy.*—At all elections or votes had for any purpose, there must be a majority of the subscribed capital stock or of the members, represented either in person or by proxy in writing. Every person acting therein, in person, or by proxy, or representative, must be a member thereof or a *bona fide* stockholder, having stock in his own name on the stock-books of the corporation at least ten days prior to the election. Any vote or election had other than in accordance with the provisions of this article is voidable at the instance of absent stockholders or members, and may be set aside by petition to the district court of the county where the same was held. Any regular or called meeting of the stockholders or members may adjourn from day to day, or from time to time, if for any reason there is not present a majority of the subscribed stock or members, or no election or majority vote had; such adjournment and the reasons therefor being recorded in the journal of proceedings of the board of directors.

SEC. 412. *Election failing—Action—Place of meeting—Justice of peace may call.*—If from any cause an election does not take place on the day appointed in the by-laws, it may be held on any day thereafter, as is provided for in such by-laws, or to which such election may be adjourned or ordered by the directors. If an election has not been held at the appointed time, and no adjourned or other meeting for the purpose has been ordered by the directors, a meeting may be called by the stockholders, as provided in section four hundred and ten.

2. Upon the application of any person or body corporate aggrieved by any election held by any corporate body, or any proceedings thereof, the district judge of the district in which such election is held must proceed forthwith summarily to hear the allegations and proofs of the parties, or otherwise inquire into the matters of complaint, and thereupon confirm the election, order a new one, or direct such other relief in the premises as accords with right and justice. Before any proceedings are had under this section, five days' notice thereof must be given to the adverse party or those to be affected thereby.

3. The meetings of the stockholders and board of directors of a corporation must be held at its office or principal place of business.

4. When no provision is made in the by-laws for regular meetings of the directors and the mode of calling special meetings, all meetings must be called by special notice in writing, to be given to each director by the secretary, on the order of the president, or if there be none, on the order of two directors.

5. Whenever, from any cause, there is no person authorized to call or to preside at a meeting of a corporation, any justice of the peace of the county where such corporation is established may, on written application of three or more of the stockholders or of the members thereof, issue a warrant to one of the stockholders or members directing him to call a meeting of the corporation, by giving the notice required, and the justice may in the same warrant direct such person to preside at such meeting until a clerk is chosen and qualified, if there is no other officer present legally authorized to preside thereat.

SEC. 413. *Individual liability.*—Each stockholder of a corporation is individually and personally liable for such proportion of its debts and liabilities as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation, and for a like proportion only of each debt or claim against the corporation. Any creditor of the corporation may institute joint or several actions against any of its stockholders for the proportion of his claim payable by each, and in such action the court must ascertain the proportion of the claim or debt for which each defendant is liable, and a several judgment must be rendered against each in conformity therewith. If any stockholder pays his proportion of any debt due from the corporation, incurred while he was such stockholder, he is relieved from any further personal liability for such debt; and if an action has been brought against him upon such debt, it shall be dismissed as to him upon his paying the costs, or such proportion thereof as may be properly chargeable against him. The liability of each stockholder is determined by the amount of stock or shares owned by him at the time the debt or liability was incurred, and such liability is not released by any subsequent transfer of stock. The term "stockholder", as used in this section, shall apply not only to such persons as appear by the books of the corporation to be such, but also to every equitable owner of stock, although the same appear on the books in the name of another; and also to every person who has advanced the installments or purchase money of stock in the name of a minor, so long as the latter remains a minor; and also to every guardian or other trustee who voluntarily invests any trust funds in the stock. Trust funds in the hands of a guardian or trustee shall not be liable, under the provisions of this section, by reason of any such investment, nor shall the person for whose benefit the investment is made be responsible in respect to the stock until he becomes competent and able to control the same; but the responsibility of the guardian or trustee making the investment shall continue until that period. Stock held as collateral security, or by a trustee, or in any other representative capacity does not make the holder thereof a stockholder within the meaning of this section, except in the cases above mentioned, so as to charge him with any proportion of the debts or liabilities of the corporation; but the pledgor, or person, or estate represented is to be deemed the stockholder as respects such liability. In corporations having no capital stock each member is individually and personally liable for his proportion of its debts and liabilities, and similar actions may be brought against him, either alone or jointly with other members, to enforce such liability as by this section may be brought against one or more stockholders, and similar judgments may be rendered.

SEC. 414. *Valid uncalled meeting.*—When all the stockholders or members of a corporation are present at any meeting, however called or notified, and sign a written consent thereto on the record of such meeting, the doings of such meeting are as valid as if had at a meeting legally called and noticed. The stockholders or members of such corporation, when so assembled, may elect officers to fill all vacancies then existing, and may act upon such other business as might lawfully be transacted at regular meetings of the corporation.

SEC. 415. *Non-resident stock transfers.*—When the shares of stock in a corporation are owned by parties residing out of the territory, the president, secretary, and directors of the corporation, before entering any transfer of the shares on its books or issuing a certificate thereof to the transferee, may require from the attorney or agent of the non-resident owner, or from the person claiming under the transfer, an affidavit or other evidence that the non-resident owner was alive at the date of the transfer, and if such affidavit or other satisfactory evidence be not furnished, may require from the attorney, agent, or claimant a bond of indemnity, with two sureties satisfactory to the officers of the corporation, or if not so satisfactory, then one approved by the district judge of the county in which the principal office of the corporation is situated, conditioned to protect the corporation against any liability to the legal representatives of the owner of the shares, in case of his or her death before the transfer; and if such affidavit or other evidence or bond be not furnished when required as herein provided, neither the corporation nor any officer thereof shall be liable for refusing to enter the transfer on the books of the corporation.

SEC. 416. *Changing amount of stock.*—Every corporation may increase or diminish its capital stock at a meeting called for that purpose by the directors, as follows:

1. Notice of the time and place of the meeting, stating its object and the amount to which it is proposed to increase or diminish its capital stock, must be personally served on each stockholder resident in the territory, at his place of residence, if known, and if not known, at the place where the principal office of the corporation is situated, and be published in a newspaper published in the county of such principal place of business once a week for four weeks successively.

2. The capital stock must in no case be diminished to an amount less than the indebtedness of the corporation, or the estimated cost of the works which it may be the purpose of the corporation to construct.

3. At least two-thirds of the entire capital stock must be represented by the vote in favor of the increase or diminution before it can be effected.

4. A certificate must be signed by the chairman and secretary of the meeting and a majority of the directors, showing a compliance with the requirements of this section, the amount to which the capital stock has been increased or diminished, the amount of stock represented at the meeting, and the vote by which the object was accomplished.

5. The certificate must be filed in the office of the register of deeds where the original articles of incorporation were filed, and a certified copy thereof in the office of the secretary of the territory, and thereupon the capital stock shall be so increased or diminished.

6. The written assent of the holders of three-fourths of the subscribed capital stock shall be as effectual to authorize the increase or diminution of the capital stock as if a meeting were called and held; and upon such written assent the directors may proceed to make the certificate herein provided for.

ART. IV.—*Corporate records.*

SEC. 417.—*Entries required in journal—Stock-book—Publicity.*—All corporations for profit are required to keep a record of all their business transactions, a journal of all meetings of their directors, members, or stockholders, with the time and place of holding the same, whether regular or special, and if special, its object, how authorized, and the notice thereof given. The record must embrace every act done or ordered to be done, who were present, and who were absent, and, if requested by any director, member, or stockholder, the time shall be noted when he entered the meeting or obtained leave of absence therefrom. On a similar request the ayes and noes must be taken on any proposition, and a record thereof made. On a similar request the protest of any director, member, or stockholder, or any action or proposed action must be entered in full; all such records to be open to the inspection of any director, member, stockholder, or creditor of the corporation.

2. In addition to the records above required to be kept, corporations for profit must keep a book to be known as the "stock and transfer book", in which must be kept a record of all stock, the names of the stockholders or members, alphabetically arranged, installments paid or unpaid, assessments levied and paid or unpaid, a statement of every alienation, sale, or transfer of stock made, the date thereof, and by and to whom, and all such other records as the by-laws prescribe. Corporations for religious and benevolent purposes must provide in their by-laws for such records to be kept as may be necessary. Such stock and transfer book must be kept open to the inspection of any stockholder, member, or creditor.

ART. V.—*Dissolution of corporations.*

SEC. 418. *Involuntary—Voluntary, how.*—A corporation is dissolved:

1. By the expiration of the time limited by its articles of incorporation.

2. Its involuntary dissolution is provided for in chapter XXVI of the code of civil procedure.

3. If voluntary, its dissolution may be effected in the following manner:

1. A corporation may be dissolved by the district court of the county where its office or principal place of business is situated, upon its voluntary application for that purpose.

2. The application must be in writing and must set forth that at a meeting of the stockholders or members called for that purpose the dissolution of the corporation was resolved upon by a two-thirds vote of all the stockholders or members, and that all claims and demands against the corporation have been satisfied and discharged.

3. The application must be signed by a majority of the board of directors, trustees, or other officers having the management of the affairs of the corporation, and must be verified in the same manner as a complaint in a civil action.

4. If the court is satisfied that the application is in conformity with this article, it must order the application to be filed, and that the clerk give not less than thirty nor more than fifty days' notice of the application, by publication in some newspaper published in the county, and if there are none such, then by advertisement posted up in five of the principal public places in the county.

5. At any time before the expiration of the time of publication any person may file his objections to the application.

6. After the time of publication has expired the court may, upon five days' notice to the persons who have filed objections, or without further notice, if no objections have been filed, proceed to hear and determine the application; and if all the statements therein made are shown to be true, the court must declare the corporation dissolved.

7. The application, notices, and proof of publication, objections (if any), and declaration of dissolution constitute the judgment roll, and from the judgment an appeal may be taken in the same manner as in other actions.

SEC. 419. *Lapse by non-user.*—If a corporation does not organize and commence the transaction of business or the construction of its works within one year from the date of its incorporation, its corporate powers cease.

SEC. 420. *Directors trustees on dissolution.*—Unless other persons are appointed by the court, the directors or managers of the affairs of such corporation at the time of its dissolution are trustees of the creditors and stockholders or members of the corporation dissolved, and have full power to settle the affairs of the corporation, and to collect and pay debts, and divide among the stockholders the property which remains after the payment of debts and necessary expenses; and for such purposes may maintain or defend actions in their own names by the style of the

trustees of such corporation dissolved, naming it; and no action whereto any such corporation is a party shall abate by reason of such dissolution.

SEC. 421. *Liability.*—The trustees mentioned in the preceding section are jointly and severally responsible to the creditors, stockholders, and members of the corporation to the extent of its property in their hands.

SEC. 422. *Revival.*—A corporation once dissolved can be revived only by the same power by which it could be created.

ART. VI.—*Assessments of stock.*

SEC. 423. *Levied, when.*—The directors of any corporation formed or existing under the laws of this territory, after one-fourth of its capital stock has been subscribed, may, for the purpose of paying expenses, conducting business, or paying debts, levy and collect assessments upon the subscribed capital stock thereof in the manner and form and to the extent provided herein.

SEC. 424. *Limitation of.*—No assessment must exceed ten per cent. of the amount of the capital stock named in the articles of incorporation, except in the cases in this section otherwise provided for, as follows:

1. If the whole capital of a corporation has not been paid up, and the corporation is unable to meet its liabilities or to satisfy the claims of its creditors, the assessment may be for the full amount unpaid upon the capital stock; or if a less amount is sufficient, then it may be for such a percentage as will raise that amount.

2. The directors of railroad corporations may assess the capital stock in installments of not more than ten per cent. per month, unless in the articles of incorporation it is otherwise provided.

3. The directors of fire or marine insurance corporations may assess such a percentage of the capital stock as they deem proper.

SEC. 425. *New assessment only.*—No assessment must be levied while any portion of a previous one remains unpaid, unless:

1. The power of the corporation has been exercised in accordance with the provisions of this article for the purpose of collecting such previous assessment;

2. The collection of the previous assessment has been enjoined; or,

3. The assessment falls within the provisions of either the first, second, or third subdivision of section four hundred and twenty-four.

SEC. 426. *Requisites of assessment.*—Every order levying an assessment must specify the amount thereof, when, to whom, and where payable; fix a day subsequent to the full term of publication of the assessment notice, on which the unpaid assessments shall be delinquent, not less than thirty nor more than sixty days from the time of making the order levying the assessment; and a day for the sale of delinquent stock, not less than fifteen nor more than sixty days from the day the stock is declared delinquent.

SEC. 427. *Form of notice.*—Upon the making of the order, the secretary shall cause to be published a notice thereof, in the following form:

[Name of corporation in full; location of principal place of business.] Notice is hereby given that at a meeting of the directors, held on the [date], an assessment of [amount] per share was levied upon the capital stock of the corporation, payable [when, to whom, and where]. Any stock upon which this assessment shall remain unpaid on the [day fixed] will be delinquent and advertised for sale at public auction, and, unless payment is made before, will be sold on the [day appointed], to pay the delinquent assessment, together with costs of advertising and expenses of sale.

[Signature of secretary, with location of office.]

SEC. 428. *Service thereof.*—The notice must be personally served upon each stockholder, or, in lieu of personal service, must be sent through the mail, addressed to each stockholder at his place of residence, if known, and if not known, at the place where the principal office of the corporation is situated, and be published once a week for four successive weeks in some newspaper of general circulation and devoted to the publication of general news, published at the place designated in the articles of incorporation as the principal place of business, and also in some newspaper published in the county in which the works of the corporation are situated, if a paper be published therein. If the works of the corporation are not within a state or territory of the United States, publication in a paper of the place where they are situated is not necessary. If there be no newspaper published at the place designated as the principal place of business of the corporation, then the publication must be made in some other newspaper of the county, if there be one, and if there be none, then in a newspaper published in an adjoining county.

SEC. 429. *Delinquent levy.*—If any portion of the assessment mentioned in the notice remains unpaid on the day specified therein for declaring the stock delinquent, the secretary must, unless otherwise ordered by the board of directors, cause to be published, in the same papers in which the notice hereinbefore provided for shall have been published, a notice substantially in the following form:

[Name in full; location of principal place of business.]

NOTICE.—There is delinquent upon the following described stock, on account of assessment levied on the

[date] (and assessments levied previous thereto, if any) the several amounts set opposite the names of the respective shareholders, as follows: [Names, number of certificate, number of shares, amount.] And in accordance with law (and an order of the board of directors made on the [date], if any such order shall have been made), so many shares of each parcel of such stock as may be necessary will be sold, at the [particular place], on the [date], at [the hour] of such day, to pay delinquent assessments thereon, together with costs of advertising and expenses of the sale.

[Name of secretary, with location of office.]

SEC. 430. *Contents of notice.*—The notice must specify every certificate of stock, the number of shares it represents, and the amount due thereon, except where certificates may not have been issued to parties entitled thereto, in which case the number of shares and amount due thereon, together with the fact that the certificates for such shares have not been issued, must be stated.

SEC. 431. *Publication.*—The notice, when published in a daily paper, must be published for ten days, excluding Sundays and holidays, previous to the day of sale. When published in a weekly paper, it must be published in each issue for two weeks previous to the day of sale. The first publication of all delinquent sales must be at least fifteen days prior to the day of sale.

SEC. 432. *Effect of same.*—By the publication of the notice the corporation acquires jurisdiction to sell and convey a perfect title to all of the stock described in the notice of sale upon which any portion of the assessment, or costs, or advertising remains unpaid at the hour appointed for the sale, but must sell no more of such stock than is necessary to pay the assessments due and costs of sale.

SEC. 433. *Manner of sale.*—On the day, at the place, and at the time appointed in the notice of sale the secretary must, unless otherwise ordered by the directors, sell, or cause to be sold, at public auction, to the highest bidder for cash, so many shares of each parcel of the described stock as may be necessary to pay the assessment and charges thereon, according to the terms of sale; if payment is made before the time fixed for sale, the party paying is only required to pay the actual cost of advertising in addition to the assessment.

SEC. 434. *Bidder defined.*—The person offering at such sale to pay the assessment and costs for the smallest number of shares or fraction of a share is the highest bidder, and the stock purchased must be transferred to him on the stock-books of the corporation on payment of the assessment and costs.

SEC. 435. *Bidding in.*—If at the sale of stock no bidder offers the amount of the assessment and costs and charges due, the same may be bid in and purchased by the corporation, through the secretary, president, or any director thereof, at the amount of the assessments, costs, and charges due; and the amount of the assessments, costs, and charges must be credited as paid in full on the books of the corporation, and entry of the transfer of the stock of the corporation must be made on the books thereof. While the stock remains the property of the corporation it is not assessable, nor must any dividends be declared thereon; but all assessments and dividends must be apportioned upon the stock held by the stockholders of the corporation.

SEC. 436. *Stock held by corporation.*—All purchases of its own stock made by any corporation vest the legal title to the same in the corporation; and the stock so purchased is held subject to the control of the stockholders, who may make such disposition of the same as they deem fit, in accordance with the by-laws of the corporation or vote of a majority of all the remaining shares. Whenever any portion of the capital stock of a corporation is held by the corporation by purchase, a majority of the remaining shares is a majority of the stock for all purposes of election or voting on any question at a stockholders' meeting.

SEC. 437. *Extended notice.*—The dates fixed in any notice of assessment or notice of delinquent sale, published according to the provisions hereof, may be extended from time to time, for not more than thirty days, by order of the directors, entered on the records of the corporation; but no order extending the time for the performance of any act specified in any notice is effectual unless notice of such extension or postponement is appended to and published with the notice to which the order relates.

SEC. 438. *Irregularities.*—No assessment is invalidated by a failure to make publication of the notices hereinbefore provided for, nor by the non-performance of any act required in order to enforce the payment of the same; but in case of any substantial error or omission in the course of proceedings for collection, all previous proceedings, except the levying of the assessment, are void, and publication must be begun anew.

SEC. 439. *Redemption—Limitation.*—No action must be sustained to recover stock sold for delinquent assessments upon the ground of irregularity in the assessment, irregularity or defect of the notice of sale, or defect or irregularity in the sale, unless the party seeking to maintain such action first pays or tenders to the corporation, or the party holding the stock sold, the sum for which the same was sold, together with all delinquent assessments which may have been paid thereon, and interest on such sums from the time they were paid, and no such action must be sustained unless the same is commenced by the filing of a complaint and the issuing of a summons thereon within six months after such sale was made.

SEC. 440. *Proof of notice—Sale.*—The publication of notice required by this article may be proved by the affidavit of the printer, foreman, or principal clerk of the newspaper in which the same was published; and the affidavit of the secretary or auctioneer is *prima-facie* evidence of the time and place of sale, of the quantity and particular description of the stock sold, and to whom, and for what price, and of the fact of the purchase money being paid. The affidavits must be filed in the office of the corporation, and copies of the same, certified by the secretary thereof.

are *prima-facie* evidence of the facts therein stated. Certificates signed by the secretary, and under the seal of the corporation, are *prima-facie* evidence of the contents thereof.

SEC. 441. *Action—Option.*—On the day specified for declaring the stock delinquent, or at any time subsequent thereto and before the sale of the delinquent stock, the board of directors may elect to waive further proceedings under this article for the collection of delinquent assessments, or any part or portion thereof, and may elect to proceed by action to recover the amount of the assessment and the costs and expenses already incurred, or any part or portion thereof.

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ART. VIII.—*Examination of corporations, etc.*

SEC. 448. *Power of legislature.*—The legislative assembly, or either branch thereof, may examine into the affairs and condition of any corporation in this territory at all times; and for that purpose any committee appointed by the said assembly, or either branch thereof, may administer all necessary oaths to the directors, officers, and stockholders of such corporation, and may examine them on oath in relation to the affairs and condition thereof; and may examine the safes, books, papers, and documents belonging to such corporation or pertaining to its affairs and condition, and compel the production of all keys, books, papers, and documents by summary process, to be issued on application to any district court or any judge thereof, under such rules and regulations as the court may prescribe.

SEC. 449. *Power reserved.*—The legislative assembly may at any time amend this chapter, or any article or section thereof.

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ART. XII.—*Mining and manufacturing corporations, etc.*

SEC. 511. *Limited twenty years.*—Corporations for mining, manufacturing, and other industrial pursuits may be formed as provided in this chapter; and such corporations have all the rights and are subject to all the duties, restrictions, and liabilities therein mentioned, so far as the same apply or relate to such corporations, but the term of existence of any such corporation shall not exceed twenty years.

SEC. 512. *Loan to stockholder forbidden.*—The purposes for which every such corporation shall be formed must be distinctly and definitely specified in the articles of incorporation, and it must not appropriate its funds to any other purpose, nor must it loan any of its money to any stockholder therein; and if any such loan or misappropriation be made, the officers who shall make it, or who shall assent thereto, shall be jointly and severally liable, to the extent of such loan or misappropriation and interest, for all the debts of the corporation contracted before the repayment of the sum so loaned or misappropriated.

SEC. 513. *Accounts—Publicity—Statement.*—Regular books of accounts of all the business of such corporations must be kept, which, with the vouchers, shall be at all reasonable times open for the inspection of any of the stockholders; and as often as once in each year a statement of such accounts shall be made by order of the directors and laid before the stockholders.

SEC. 514. *Liability for labor.*—The stockholders of any corporation formed for the purposes mentioned in this article shall be jointly and severally liable, in their individual capacities, for all debts due to mechanics, workmen, and laborers employed by such corporation, which said liability may be enforced against any stockholders by an action at any time after an execution against such corporation shall be returned not satisfied: *Provided*, Such action be commenced within four months: *And provided always*, That if any stockholder shall be compelled by any such action to pay the debts of any creditor, or any part thereof, he shall have the right to call upon all the stockholders to contribute their part of the sum so paid by him as aforesaid, and may sue them jointly or severally, or any number of them, and recover in such action the ratable amount due from the person or persons so sued.

SEC. 515. *Annual report—Contents.*—Every such corporation shall annually, within twenty days from the first day of January, make a report, which must be published in some newspaper published at or nearest to the place where the business of said corporation is carried on, which report must state the capital stock and the amount thereof actually paid in, the amount and nature of its indebtedness, and the amounts due the corporation, the number and amount of dividends and when paid, and the net amount of profits. The said report must be signed by the president and a majority of the directors, and be verified by the oath of the president or secretary of the corporation, and filed in the office of the register of deeds of the county where the business of the corporation is carried on; and if any such corporation shall fail so to do, the directors shall be jointly and severally liable for all the debts of the corporation then existing, and for all that shall be contracted before such report shall be made.

SEC. 516. *Demand for statement.*—Whenever any person or persons owning twenty per cent. of the capital stock of any corporation formed for the purpose mentioned in this article shall present a written request to the treasurer thereof that they desire a written statement of the affairs of the corporation, he must make such statement under oath, embracing a particular account of all its assets and liabilities in detail, and deliver the same to the persons presenting the written request within twenty days after such presentation; and such treasurer shall also, at the same time, place and keep on file in his office for six months thereafter a copy of such statement, which shall, at all times during business hours, be exhibited to any stockholder of such corporation demanding an examination thereof; the treasurer, however, shall not be required to make or deliver such statement in the manner aforesaid oftener

than once in six months. If such treasurer neglect or refuse to comply with the provisions of this section, he shall forfeit and pay to the person or persons presenting such written request the sum of fifty dollars, and the further sum of ten dollars for every twenty-four hours thereafter until such statement shall be furnished, to be sued for and recovered in an action.

SEC. 517. *May have office elsewhere.*—Any corporation formed for the purposes mentioned in this article may provide in the articles of incorporation for having a business office without this territory, at any place within the United States, and to hold any meeting of the stockholders or directors of the corporation at such office so provided for; but every such corporation having a business office out of this territory must have its main office for the transaction of business within this territory, to be also designated in such articles.

SEC. 518. *Fraud—Responsibility.*—If any such corporation shall willfully violate any of the provisions of this chapter relating or applying to such corporation, and shall thereby become insolvent, the directors ordering or assenting to such violation shall, jointly and severally, be liable in an action founded upon this statute for all debts contracted after such violation.

SEC. 519. *Ditch corporation—Requisites.*—In addition to the matters required by section three hundred and eighty-six, every corporation formed for the purpose of constructing a ditch to convey water to any mines, mills, or lands to be used for mining, manufacturing, milling, or for the irrigation of lands, must, in the articles of incorporation, specify as follows: The stream or streams from which the water is to be taken; the point or place on said stream at or near which the water is to be taken out; the line of said ditch, as near as may be; and the use to which the said water is intended to be applied.

SEC. 520. *Rights.*—Any ditch corporation shall have the right of way over the line named in the articles, and shall also have the right to run the water of the stream or streams named in the articles through their ditch: *Provided*, That the line proposed shall not interfere with any other ditch whose rights are prior to those granted under this article and acquired by virtue of such articles of incorporation. Nor shall the water of any stream be diverted from its original channel to the detriment of any miners, mill-men, or others along the line of said stream who may have a priority of right; and there shall be at all times left sufficient water in said stream for the use of miners and agriculturists along said stream.

SEC. 521. *Duty to furnish water.*—Every ditch corporation must furnish water to the class of persons using water in the way and for the purpose for which the articles of incorporation declare the water obtained by the corporation is to be used, whether miners, manufacturers, mill-men, or farmers, whenever they shall have water in their ditch unsold, and must at all times give the preference to the use of the water in such ditch to the class of persons so named in the articles; and the rates or tolls at which water is to be furnished must be fixed by the board of county commissioners as soon as such ditch shall be completed and prepared to furnish water.

SEC. 522. *Protection from injury.*—Every ditch corporation must keep the banks of its ditch in good condition, so that the water shall not be allowed to escape from it to the injury of any mining-claim, road, ditch, or other property; and whenever it is necessary to extend or construct any ditch over, across, or above any lode or mining-claim or public highway the corporation shall, if necessary to keep the water of said ditch out or from any such lode, claim, or highway, flume the ditch so far as necessary to protect such claim, property, or highway from the water of such ditch.

SEC. 523. *Flumes—Requisites.*—In addition to the matters required in section three hundred and eighty-six, every corporation formed for the purpose of constructing a flume must, in its articles of incorporation, specify as follows: The place of beginning, the termini, and the route, so near as may be, and the purpose for which such flume is intended. Such corporation shall have the right of way over the line named in its articles: *Provided*, It does not conflict with the right of any fluming, ditching, or other corporation, or with the prior water-rights of any person.

SEC. 524. *Tunnels—Same.*—In addition to the matters required by section three hundred and eighty-six, every corporation formed for the purpose of running and excavating a tunnel for mining for gold, silver, or other ore, or quartz or coal, must, in the articles of incorporation, specify as follows: Where said tunnel is to be run; the place of commencement; the course and termination; and the metals, minerals, or ores designated to be excavated. Through all lodes crossed by such tunnel such corporation shall have the right of way.

SEC. 525. *Acquiring right of way.*—The right of way granted in this article to any ditch, flume, or tunnel corporation may be acquired in the same manner and by like proceedings as provided for railroad corporations.

SEC. 526. *Non-user forfeits rights.*—Every corporation formed under the provisions of this article must, within ninety days from the date of the issue of its certificate of incorporation, commence the construction of its works or the transaction of its business, and must prosecute the work or business with due diligence until the same is completed; and the time of the completion of its works shall not extend beyond a period of two years from the time work was commenced as aforesaid; and any such corporation failing to commence work within ninety days from the date of its certificate, or failing to complete the same within two years from the time of commencement, as aforesaid, shall forfeit all right to the route so claimed, and the same shall be subject to be claimed by any other corporation: *Provided*, That this section shall not apply to the construction of any works through or over any grounds owned by such corporation.

The manner of acquiring the right of way by any an ditch, flume, or tunnel corporation is the same, with like proceedings as provided by railroad corporations (see section 525), which proceedings, etc., are as follows:

SEC. 452. *Taking when owner refuses—Procedure.*—If the owner of any real property over which said railroad corporation may desire to locate its road shall refuse to grant the right of way through and over his premises, the district judge of the county or subdivision in which said real property may be situated, as provided in this article, shall, upon the application or petition of either party, and after ten days' notice to the opposite party, either by personal service or by leaving a copy thereof at his usual place of residence, or, in case of his non-residence in the territory, by such publication in a newspaper as the judge may order, direct the sheriff of said county to summon three disinterested freeholders of said county or subdivision (or if there be none such, then of the territory) as commissioners, who shall be selected by said judge, and who must not be interested in a like question. The commissioners shall be duly sworn to perform their duties impartially and justly; and they shall inspect said real property and consider the injury which such owner may sustain by reason of such railroad; and they shall assess the damages which said owner will sustain by such appropriation of his land; and they shall forthwith make report thereof in writing to the clerk of the said court, setting forth the quantity, boundaries, and value of the property taken, or amount of injury done to the property which they assess to the owners, which report must be filed and recorded by the clerk, and a certified copy thereof may be transmitted to the register of deeds of the county or subdivision where the land lies, to be by him filed and recorded (without further acknowledgment or proof) in the same manner and with like force and effect as is provided for the record of deeds. And if said corporation shall, at any time before it enters upon said real property for the purpose of constructing said road, pay to said clerk for the use of said owner the sum so assessed and reported to him as aforesaid, it shall thereby be authorized to construct and maintain its road over and across said premises: *Provided*, That if the corporation shall need or require, for the purpose of constructing said railroad, to take and occupy any real property in any unorganized county, or in other unorganized country where there is no district court established, then the judge of the district court of the nearest organized county or subdivision (wherein such court is established) upon the line of said road shall appoint commissioners to assess said damages; and he and they shall perform all other duties required of district judges and commissioners by the terms of this article, and either party shall have the right to appeal as in other cases herein provided: *And provided further*, That the report of the commissioners may be reviewed by the district court, on written exceptions filed by either party in the clerk's office within sixty days after the filing of such report; and the court shall take such order therein as right and justice may require, either by confirming, modifying, or rejecting the same, or by ordering a new appraisement, on good cause shown: *And provided further*, That either party may appeal from the decision of the district court to the supreme court, and the money so deposited shall remain in the hands of the clerk, as aforesaid, until a final decision be had, and subject thereto; but such review or appeal shall not delay the prosecution of the work on said railroad over the premises in question, if such corporation shall first have paid or deposited with said clerk the amount so assessed by said commissioners; and in no case shall said corporation be liable for the costs on such review or appeal, unless the owner of such real property shall be adjudged entitled, upon either review or appeal, to a greater amount of damages than was awarded by said commissioners. The corporation shall, in all cases, pay the costs and expenses of the first assessment. And in case of review or appeal, the final decision may be transmitted by the clerk of the proper court, duly certified, to the proper register of deeds, to be by him filed and recorded as hereinbefore provided for the recording of the report, and with like effect.

SEC. 453. *Commissioners act in all cases—Vacancies.*—Freeholders so appointed shall be the commissioners to assess all the damages to the owners of real property in said county or subdivision; and said corporation may, at any time after their appointment, upon the refusal of any owner or guardian of any owner of lands in said county or subdivision to grant the right of way as aforesaid, by giving said owner or guardian ten days' notice thereof in the manner prescribed in the preceding section, have the damages assessed in the manner hereinbefore prescribed. In case of the death, absence, or refusal or neglect of any of said freeholders to act as commissioners, as aforesaid, the sheriff shall, upon the selection of the district judge, summon other freeholders to complete the panel, and said commissioners shall receive three dollars per day each for their services, and the same shall be taxed in the bill of costs.

SEC. 454. *Guardians—Married women.*—Whenever any railroad corporation shall take any real property, as aforesaid, of any minor, any person insane or otherwise incompetent, or of any married woman whose husband is under guardianship, the guardian of such minor, insane or incompetent person, or such married woman with the guardian of her husband, may agree and settle with said corporation for all damages or claims by reason of the taking of such real property, and may give valid releases and discharges therefor upon the approval thereof by the judge of the probate court.

SEC. 455. *Unknown owner.*—If upon the location of said railroad it shall be found to run through the real property of any non-resident owner who is unknown to the corporation, or who has not been by it informed thereof, and has neither granted nor refused to grant the right of way through and over his said premises, the said corporation may give four weeks' notice to such owner, if known, and if not known, by a description of such real property by

publication four consecutive weeks in some newspaper published in the county or subdivision where such real property may lie, if there be any, and if not, in one nearest thereto on the line of their said road, that said railroad has been located through and over his lands; and if said owner do not, within thirty days thereafter, apply to the district judge to have the damages assessed in the mode prescribed in this article, said corporation may proceed to have the damages assessed, as hereinbefore provided, subject to the same right of review and appeal as in case of resident owners; and, upon payment of damages assessed to the clerk of the district court, the corporation shall acquire all the rights and privileges mentioned in this article.

SEC. 456. *Claimants on public lands.*—Any railroad corporation is authorized to pass over, occupy, and enjoy all the public lands, to the extent and in the manner prescribed by the act of Congress approved March 3, 1875: *Provided*, That the damages accruing to and occupant or possessory claimant, or other person who may reside on or have improvements upon said public land, shall be determined and paid by said railroad corporation as provided in this article for owners of private lands.

The involuntary dissolution of corporations, referred to in second subdivision of section 418, p. 263, is as follows:

CHAP. XXVI.

SEC. 532. *Territory against corporation.*—An action may be brought by any district attorney in the name of the territory, on leave granted by the district court or judge thereof, for the purpose of vacating the charter or the articles of incorporation, or for annulling the existence of a corporation other than municipal, whenever such corporation shall:

1. Offend against any of the laws creating, altering, or renewing such corporation; or,
2. Violating the provisions of any law, by which such corporation shall have forfeited its charter or articles of incorporation by abuse of its power; or,
3. Whenever it shall have forfeited its privileges or franchises by failure to exercise its powers; or,
4. Whenever it shall have done or omitted any act which amounts to a surrender of its corporate rights, privileges, and franchises; or,
5. Whenever it shall exercise a franchise or privilege not conferred upon it by law. And it shall be the duty of any district attorney, whenever he shall have reason to believe that any of these acts or omissions can be established by proof, to apply for leave, and, upon leave granted, to bring the action in every case of public interest, and also in every other case in which satisfactory security shall be given to indemnify the territory against the costs and expenses to be incurred thereby.

SEC. 533. *Leave to bring such action.*—Leave to bring the action may be granted upon the application of any district attorney, and the court or judge may, at discretion, direct notice of such application to be given to the corporation or its officers previous to granting such leave, and may hear the corporation in opposition thereto.

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SEC. 543. *Judgment against corporation.*—If it shall be adjudged that a corporation against which an action shall have been brought pursuant to this chapter has, by neglect, abuse, or surrender, forfeited its corporate rights, privileges, and franchise, judgment shall be rendered that the corporation be excluded from such corporate rights, privileges, and franchises, and that the corporation be dissolved.

SEC. 544. *Costs, how collected.*—If judgment be rendered in such action against a corporation, or against a person claiming to be a corporation, the court may cause the costs therein to be collected by execution against the person claiming to be a corporation, or by attachment or process against the directors or other officers of such corporation.

SEC. 545. *Closing corporate affairs.*—When such judgment shall be rendered against a corporation, the court has power to restrain the corporation, to appoint a receiver of its property, and to take an account and make distribution thereof among its creditors, and the district attorney must, immediately after the rendition of such judgment, institute proceedings for that purpose.

SEC. 546. *Judgment filed with secretary.*—Upon the rendition of such judgment against a corporation, the district attorney must cause a copy of the judgment to be forthwith filed in the office of the secretary of the territory, whose duty it shall be to record the same.

REVISED CODES, 1877: CODE OF CIVIL PROCEDURE.

AN ACT to establish a code of civil procedure for Dakota territory. (Approved February 17, 1877; Rev. Codes, p. 483.)

PART 2—CHAP. VI.—TIME OF COMMENCING ACTIONS IN GENERAL.

SEC. 41. *Seizin within twenty years.*—No action for the recovery of real property, or for the recovery of possession thereof, shall be maintained, unless it appear that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the premises in question within twenty years before the commencement of such action.

SEC. 42. *Same.*—No cause of action, or defense to an action, founded upon the title to real property, or to rents or services out of the same, shall be effectual unless it appear that the person prosecuting the action or making the defense, or under whose title the action is prosecuted or the defense is made, or the ancestor, predecessor, or grantor of such person, was seized or possessed of the premises in question within twenty years before the committing of the act in respect to which such action is prosecuted or defense made.

CHAP. XXIX.—ACTIONS TO DETERMINE CONFLICTING CLAIMS TO REAL PROPERTY, AND OTHER ACTIONS CONCERNING REAL ESTATE.

SECTION 645. *Right of entry.*—The court in which an action is pending for the recovery of real property or for damages for an injury thereto, or a judge thereof may, on motion, upon notice by either party, for good cause shown, grant an order allowing to such party the right to enter upon the property and make survey and measurement thereof, and of any tunnels, shafts, or drifts thereon, for the purpose of the action, even though entry for such purpose has to be made through other lands belonging to parties to the action.

SEC. 646. *Order for—Service.*—The order must describe the property, and a copy thereof must be served on the owner or occupant; and thereupon such party may enter upon the property, with necessary surveyors and assistants, and make such survey and measurement; but if any unnecessary injury be done to the property, he is liable therefor.

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SEC. 649. *Mining customs.*—In actions respecting mining-claims, proof must be admitted of the customs, usages, or regulations established and in force at the bar or diggings embracing such claim, and such customs, usages, or regulations, when not in conflict with the laws of this territory and of the United States, must govern the decision of the action.

SEC. 650. *Occupying claimants.*—Any person settled upon the public lands belonging to the United States, on which settlement is not expressly prohibited by Congress or some department of the general government, may maintain an action for any injuries done the same; also, an action to recover the possession thereof, in the same manner as if he possessed a fee-simple title to said lands.

REVISED CODES, 1877: PENAL CODE.

AN ACT to establish a penal code for the territory of Dakota. (Approved February 7, 1877; Rev. Codes, p. 726.)

CHAP. XVII.—HOMICIDE.

SECTION 248. *Murder by forcibly taking mine.*—If any person or persons shall associate and agree to enter or attempt to enter, by force of numbers and the terror such numbers is calculated to inspire, or by force and violence or by threats of violence against any person or persons in the actual possession of any lode, gulch, or placer-claim, and upon such entry or attempted entry any person or persons shall be killed, said persons, and all and each of them, so entering or attempting to enter, shall be deemed guilty of murder, and punished accordingly. Upon the trial of such cases, any person cognizant of such entry or attempted entry who shall be present and aiding, assisting, or in anywise encouraging such entry or attempted entry, shall be deemed a principal in the commission of said offense.

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AN ACT to establish a penal code for the territory of Dakota. (Approved February 7, 1877; Rev. Codes, p. 794.)

CHAP. LVII.

SEC. 735. *Conspiracy and mobs against mines.*—In all cases where two or more persons shall associate themselves together for the purpose of obtaining possession of any lode, gulch, or placer-claim, then in the actual possession of another, by force and violence, or by threats of violence, or by stealth, and shall proceed to carry out such purpose by making threats against the party or parties in possession, or who shall enter upon such lode or mining-claim for the purpose aforesaid, or who shall enter upon or into any lode, gulch, placer-claim, or quartz-mill, or other mining property, or, not being upon such property, but within hearing of the same, shall make any threats, or make use of any language, sign, or gesture calculated to intimidate any person or persons at work on said property from continuing to work thereon or therein, or to intimidate others from engaging to work thereon or therein, every such person so offending shall, upon conviction, be punished by imprisonment in the county jail not exceeding six months and not less than thirty days, and by fine not exceeding two hundred and fifty dollars, such fine to be discharged either by payment or by confinement in such jail until such fine is discharged at the rate of two dollars and fifty cents per day. On trials under this section proof of a common purpose of two or more persons to obtain possession of property, as aforesaid, or to intimidate laborers, as above set forth, accompanied or followed by any of the acts above specified, by any of them, shall be sufficient evidence to convict any one committing such acts, although the parties may not be associated together at the time of committing the same.

SESSION LAWS, 1879.

CHAP. IX.

AN ACT to amend section four hundred and thirteen of the civil code. (Approved February 22, 1879, p. 13.)

SECTION 1. *Liability of stockholders—Duty of court in case of suit—Stockholder defined.*—That section four hundred and thirteen of the Civil Code be, and the same is hereby, amended so as to read as follows:

SEC. 413. Each stockholder of a corporation is individually and personally liable for the debts of the corporation to the extent of the amount that is unpaid upon the stock held by him. Any creditor of the corporation may institute joint and several actions against any of its stockholders that have not wholly paid the capital stock held by him, and in such action the court must ascertain the amount that is unpaid upon the stock held by each stockholder and for which he is liable, and several judgment must be rendered against each in conformity therewith. The liability of each stockholder is determined by the amount unpaid upon the stock or shares owned by him at the time such action is commenced, and such liability is not released by any subsequent transfer of stock. And in no other case shall the stockholders be individually and personally liable for the debts of the corporation. The term "stockholder", as used in this section, shall apply not only to such persons as appear by the books of the corporation to be such, but also to every equitable owner of stock, although the same appear on the books in the name of another; and also to every person who has advanced the installments or purchase money of stock in the name of a minor, so long as the latter remains a minor; and also to every guardian or other trustee who voluntarily invests any trust funds in the stock. Trust funds in the hands of a guardian or trustee shall not be liable under the provisions of this section by reason of any such investment, nor shall the person for whose benefit the investment is made be responsible in respect to the stock until he becomes competent and able to control the same; but the responsibility of the guardian or trustee making the investment shall continue until that period. Stock held as collateral security, or by a trustee, or in any other representative capacity, does not make the holder thereof a stockholder within the meaning of this section, except in the cases above mentioned, so as to charge him with the debts or liabilities of the corporation; but the pledgor, or person, or estate represented is to be deemed the stockholder as respects such liability.

CHAP. X.

AN ACT to amend chapter three (3) of title two (2), part three (3) of the Civil Code of this territory, in relation to corporations. (This act was passed over the veto of the governor by the necessary two-thirds vote by the council and house of representatives February 18th and 19th, respectively, 1879, and was deposited with the secretary of the territory at 10 o'clock a. m. February 20, 1879.)

SECTION 1. *Interest of delinquent member of incorporated company may be sold.*—Whenever any member of an incorporated company organized under articles 10, 12, and 13 of chapter 3, title 2, part 3 of the Civil Code, duly organized under the laws of this territory, where the same is not a stock company, shall refuse, fail, or neglect to pay any assessment levied by the company of which he is a member in accordance with law, after having been notified of such assessment as provided in said chapter, his share, interest, or membership in such company may be sold in the same manner and like proceedings had as in the sale of the stock of incorporated companies under said chapter, and the title to such share, interest, or membership, when so sold, shall vest absolutely in the purchaser thereof.

SEC. 2. *Purchaser of interest in incorporated company becomes a member thereof—Interest may be sold, when.*—Any member of an incorporated company not being a stock company may, by deed, transfer his interest, share, or membership therein, whereupon the purchaser thereof shall become a member of such company; and if any assessment or amount of money shall at the time be due and unpaid thereon, such share, interest, or membership may be sold, as in other cases, if such assessment or amount remains unpaid after said purchaser has due notice of such delinquency.

SEC. 3. *Time extended for completion of works.*—Every incorporated company transacting business within this territory shall be allowed twice the length of time now allowed under said chapter three (3) for the completion of its works without working any forfeiture whatever until the expiration of such extended time, and then only upon failure to complete such works.

SEC. 4. *Certain associations to be held strictly to the law.*—Any person or persons, or association of persons, now engaged in, or that may hereafter engage in, the construction of any street railway, toll-road, ditch for conveying water, or any other works or improvements specified in said chapter three (3), shall be required to comply strictly with all the provisions of said chapter, in the same manner as therein provided for incorporated companies, so far as the same can be done; and, upon failure of any such person or persons, or association of persons, to comply as aforesaid, the same shall work a forfeiture of any and all rights he or they may have acquired in accordance with law.

SEC. 5. *County commissioners shall not fix rates.*—No board of county commissioners shall hereafter have power to fix the rates or tolls at which water is to be furnished by the owners of any ditch or flume constructed for the purpose of conveying water.

SEC. 6. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

CHAP. XLI.—LIENS.

AN ACT to create a lien for miners and laborers in certain cases. (Approved February 1, 1879, p. 114.)

SECTION 1. *Miner to have lien upon mine for work done or material furnished.*—That every miner or other person who, at the request of the owner or owners, or his or their agents, of any lode, lead, ledge, mine, or deposit bearing gold, cinnabar, or copper, or of any coal bank or mine, or at the request of any contractor or subcontractor, shall perform any labor whatever on said mine, or furnish any timber, rope, nails, or any other materials for timbering shafts or levels for the mine owned by such owner or owners, or who shall furnish any kind of materials for erecting any windlass, whims, or any other hoisting apparatus or machinery, or for any car-track, cars, tunnels, drifts, or openings thereon, or shall perform any labor on any tunnel, shall have a lien upon such lode, lead, mine, deposit, bank, or tunnel to secure the payment of the same.

SEC. 2. *When labor is performed for contractor, owner to pay, when.*—Every miner or other person doing and performing any work or furnishing any materials, as specified in section one of this act, under a contract, either express or implied, between the owner or owners of any mine, or his or their agent, and any contractor working on such mine, whether such work shall be performed or materials furnished as miner, laborer, or otherwise, whose demand for work so performed or material so furnished has not been paid, may deliver to the owner or owners of such mine or tunnel, or to his or their agent or superintendent, an attested account of the amount and value of the work and labor thus performed, or of the materials thus furnished and remaining unpaid, and thereupon such owner or owners, or his or their agent, shall retain out of the first subsequent payments to such contractor, the amount so due for such work and labor, or materials furnished, for the benefit of the person so performing or purchasing the same.

SEC. 3. *Duty of owner when account for labor is presented.*—Whenever any account for labor performed or materials furnished, as specified in the last preceding section, shall be placed in the hands of the owner or owners of any mine or tunnel, or his or their agent, it shall be the duty of such owner or owners or agent to furnish such contractor with a copy of such papers, so that if there be any disagreement between such contractor or his subcontractor and the creditor of either, as the case may be, they may, by amicable adjustment or by arbitration, ascertain the sum due, if any; and if such contractor or subcontractor shall not, within ten days after the receipt of such papers, give such owner or owners or agent written notice that he intends to dispute the claim, or if ten days after giving such notice he shall refuse or neglect to have the matter adjusted as aforesaid, he shall be considered as assenting thereto; and such owner or owners or agent may pay the same when it becomes due, and for that purpose may deduct the amount out of any moneys due such contractor, who may in like manner deduct such amount from any moneys due by him to his subcontractor, in case such account or demand is against such subcontractor for work and labor performed or materials furnished as aforesaid.

SEC. 4. *Amount due from contractor may be recovered, how.*—The amount which may be due from any contractor to his creditor may be recovered from said owner or owners by the creditor of said contractor in any action at law to the extent in value of any balance due by the owner or owners to his or their contractor under the contract with him, at the time of the notice first given as aforesaid, or subsequently, according to such contract or under the same.

SEC. 5. *Person entitled to lien to make itemized statement and file same.*—Any person entitled to a lien under this act shall make an account in writing of the items of labor, skill, machinery, and material furnished, as the case may be, and after making oath thereto shall, within sixty days from the time of completing such labor and skill, or furnishing the last item of machinery or materials, file the same in the office of the clerk of the district court of the county or subdivision in which the lode, lead, ledge, mine, deposit, bank, or tunnel may be situated, for or upon which such labor, skill, machinery, or materials shall have been furnished; and also file at the same time a correct description of the property to be charged with said lien, which account and description so made and filed shall be recorded in a separate book, to be provided for that purpose by such clerk of court, and thereupon the same shall, from the time of the completion of the work or furnishing the last item of machinery or materials, and for one year thereafter, operate as a lien on the property charged in such description; when any work and labor has been performed or materials furnished as aforesaid under a written contract, the same or a copy thereof shall be filed with said account and description: *Provided*, That all lien claims for labor performed or materials furnished shall be concurrent liens upon the property charged, and shall be paid *pro rata* out of proceeds arising from the sale thereof, if the same shall be sold, or upon settlement without sale.

SEC. 6. *Holder of lien may obtain judgment.*—Any person holding such lien may proceed to obtain a judgment for the amount of his account thereon by civil action, and when any suit or suits shall be commenced thereon such lien shall continue until said suit or suits be finally determined and satisfied; and in all actions instituted under this act all persons claiming liens upon the property charged shall be made parties to such action or proceeding, and the rights of all parties therein shall be determined by the court, and such order made in regard thereto as shall preserve and protect the rights of all such parties under the provisions of this act.

SEC. 7. *When lien is paid satisfaction thereof shall be entered.*—Any person who shall have filed his account and perfected his lien under the provisions of this act, shall have received satisfaction of his claim or demand and the legal cost of his proceedings thereunder, he shall, upon the request of any person interested, and within six days after such request, enter satisfaction of his lien in the office where such account and lien is of record, which shall forever thereafter discharge, defeat, and release the same; and if any person holding a lien as aforesaid shall receive satisfaction as hereinbefore specified, or having been tendered the amount due on his claim or demand, with legal costs, shall not, within six days after receiving such satisfaction or tender of payment, enter satisfaction as aforesaid, he shall forfeit and pay to the person or persons aggrieved double the amount of damages which may have been sustained in consequence of such failure or neglect: *Provided*, He shall have been requested in such case to enter satisfaction as aforesaid.

SEC. 8. *This act to apply to oil wells, etc.*—The provisions of this act shall apply to oil wells or springs, iron and lead mines, as well as all other mines not herein specified, so far as the same may be applicable.

SEC. 9. This act shall take effect and be in force from and after its passage and approval.

CHAP. XCVII.—RIGHT OF WAY.

AN ACT concerning the right of way, easements, and other necessary means for the development of mines. (Approved March 3, 1881; Sess. Laws, 1881, p. 124.)

SECTION 1. *Owners of mines to have right of way.*—That the proprietor, owner, or owners of mining-claims, whether patented under the laws of the United States or held under the local laws and customs of this territory, shall have a right of way for ingress for the necessary purpose over and across the land or mining-claim, patented or otherwise, of others, as hereinafter provided.

SEC. 2. *Same.*—Whenever any such mine or mining-claim shall be so situated that it cannot be conveniently worked without a road thereto, or a ditch or a cut to convey the water therefrom, or without a flume to carry water and tailings therefrom, or without a shaft or tunnel thereto, which road, ditch, cut, or tunnel shall necessarily pass over, under, through, or across any lands or mining-claims owned or occupied by others, either under a patent from the United States or otherwise, then shall such first-mentioned owner or owners be entitled to a right of way for said road, ditch, flume, shaft, or tunnel over, under, through, and across such other lands or mining-claims upon compliance with the provisions of this act.

SEC. 3. *Proceedings to obtain right of way.*—Whenever the owner or owners of any mining-claim shall desire to work the same, and it is necessary, to enable him or them to do so successfully and conveniently, that he or they shall have a right of way for any of the purposes in the foregoing section, and such right of way shall not have been acquired by agreement between him or them, and the claim over, under, across, and upon which he or they seek to establish such right of way, it shall be lawful for him or them to present to the judge of the district court of the several counties and subdivisions of the territory of Dakota, in which such right of way or some part thereof sought to be enforced is situated, a petition praying that such right of way be awarded to him or them. Such petition shall be verified and contain a particular description of the character and extent of the right sought, a description of the mine or claim of the petitioner, and the claim or claims or lands to be affected by such right or privilege, with the names of the occupants or owners thereof; it may also set forth any tender or offer hereinafter mentioned, and shall demand the relief sought.

SEC. 4. *Proceedings in court.*—Upon the receipt of such petition and filing thereof with the clerk of such court, the judge shall direct a citation to issue, under the seal of such court, to the owners named in the petition of mining-claims and lands to be affected by the proceedings, directing them and each of them to appear before the judge on a day therein named, which shall not be less than ten days from the service thereof, and show cause why such right of way should not be allowed as prayed for. Such citation shall be served on each of the parties in the manner prescribed by law for serving summons in ordinary proceedings at law.

SEC. 5. *Judge shall appoint commissioners.*—Upon the return day of the citation, or upon any day to which the hearing shall be adjourned, the judge shall proceed to hear the allegations and proofs of the respective parties; and if upon such hearing he is satisfied that the claims of the petitioner should be worked by means of the privilege prayed for, he shall make an order adjudging and awarding to the petitioner such right of way, and shall appoint three commissioners, who shall be disinterested parties and residents of the county, to assess the damages resulting to the lands or claims affected by such order.

SEC. 6. *Assessment of damage by commissioners.*—The commissioners so appointed shall be sworn or affirmed to faithfully and impartially discharge their duties, and shall proceed without unreasonable delay to examine the premises, and shall assess the damage resulting from such right or privilege prayed for, and report the amount to the judge appointing them; and if such right of way shall affect the property of more than one person or company, such report shall contain an assessment of damages to each company or person.

SEC. 7. *Judge may set aside report, etc.*—For good cause shown, the judge may set aside the report of such commissioners and appoint three other commissioners, whose duties shall be the same as above mentioned.

SEC. 8. *Petitioner entitled to right of way upon tender of payment.*—Upon the payment of the sum assessed as damages, as aforesaid, to the persons to whom it shall be awarded, or a tender thereof to them, then the person petitioning as aforesaid shall be entitled to the right of way prayed for in their or his petition, and may immediately proceed to occupy the same, and to erect thereon such work and structures and make therein such excavations as may be necessary to the use and enjoyment of the right of way so awarded.

SEC. 9. *Appeals.*—Appeals from the assessment of the commissioners may be made and prosecuted in the proper district court by any party interested at any time within ten days after filing the report of the commissioners, and a written notice of such appeal shall be served upon the appellee in the same manner as summons are served in civil actions. The appellant shall file with the clerk of the court to which the appeal is made a bond, with sureties, to be approved by the clerk, in the amount of the assessment appealed from in favor of the appellee, conditioned that the appellant shall pay any costs that may be awarded to the appellee and abide any judgment that may be rendered in the cause.

SEC. 10. *Time of appeal.*—Appeals shall bring before the appellate court only the propriety of the amount of damages, and may be tried by the court or by a jury, as other cases in court.

SEC. 11. *Prosecution of appeal not to hinder work.*—The prosecution of any appeal shall not hinder, delay, or prevent the appellee from exercising all the rights and privileges mentioned in section eight of this act: *Provided*, That the appellee shall file with the clerk of the court in which the appeal is pending a bond, with sufficient sureties, to be approved by the clerk, in double the amount of the assessment appealed from, conditioned that the appellee shall pay to the appellant whatever amount he may recover in the action, not exceeding the amount of such bond.

SEC. 12. *When appellee to pay costs.*—If the appellant recover fifty dollars more damages than the commissioners shall have awarded, or the appellee shall offer to allow judgment against him to be taken, the appellee shall pay the costs of the appeal, otherwise the appellant shall pay such costs.

SEC. 13. *Costs and expenses, by whom paid.*—The costs and expenses under the provisions of this act, except as herein otherwise provided, shall be paid by the party making the application: *Provided, however*, That if the applicant shall, before the commencement of such proceeding, have tendered to the parties owning or occupying such lands or mining-claims a sum equal to or more than the amount of damages assessed by the commissioners, then all the costs and expenses shall be paid by the party or parties owning the lands or claims affected by such right of way, and who appeared and resisted the claims of the applicants.

SEC. 14. This act shall take effect and be in force from and after its passage and approval.

CHAP. XCVI.—LOCATION OF LODES.

AN ACT to amend chapter XXXI of the Political Code. (Sess. Laws, 1881, p. 123.)

[This act was received at executive office February 28, 1881, at 5.30 p. m., and, not having been returned by governor within the time prescribed by law, became a law without his approval.]

SECTION 1. *Discoverer entitled to sixty days before recording.*—That section three of chapter XXXI of the Political Code be, and the same is hereby, amended by striking out the word "twenty", where it occurs in the second line thereof, and inserting in lieu thereof the word "sixty".

SEC. 2. *Name of locators.*—That subdivision two of section three of said chapter be amended by adding, after the word "locator", the words "or locators".

SEC. 3. *Name of locators.*—That section five of said chapter be amended by adding after the word "locator", where it appears in the fifth line thereof, the words "or locators".

SEC. 4. *Marking boundaries.*—That section six of said chapter be amended by adding, after the word "claim", the following: "and plainly marked with the name of the lode and the corner, end, or side of the claim that they respectively represent."

SEC. 5. *Locators entitled to sixty days to perform labor.*—That section eight of said chapter be amended by striking out the word "thirty" and inserting in lieu thereof the word "sixty".

SEC. 6. *Time of doing annual work.*—That section fourteen of said chapter be amended by adding at the end of said section, the following: "*Provided*, That the period within which the work required to be done annually on all unpatented claims so located shall commence on the first day of January succeeding the date of location of such claim."

SEC. 7. That section fifteen of said chapter be, and the same is hereby, repealed.

SEC. 8. This act shall take effect and be in force from and after its passage and approval.

CHAP. CXLII.—WATER-RIGHTS.

AN ACT relating to water-rights. (Sess. Laws, 1881, p. 226.)

[This act was received at executive office February 28, 1881, at 5.30 o'clock p. m., and, not having been returned to the council where it originated, became a law without the governor's approval.]

SECTION 1. *Party holding land shall have right to water.*—That any person or persons, corporation, or company who may have or hold a title or possessory right or title to any mineral or agricultural lands within the limits of this territory shall be entitled to the usual enjoyment of the waters of the streams or creeks in said territory for mining, milling, agricultural, or domestic purposes: *Provided*, That the right to such use shall not interfere with any prior right or claim to such waters when the law has been complied with in doing the necessary work.

SEC. 2. *May conduct water from remote stream.*—That when any person or persons, corporation, or company owning or holding land as provided in section one of this act shall have no available water facilities upon the same, or whenever such lands are too far removed from any stream or creek to so use the waters thereof, as aforesaid, such person or persons, corporation, or company shall have the right of way through and over any tract or piece of land for the purpose of conducting and conveying said water by means of ditches, dykes, flumes, or canals for the purpose aforesaid.

SEC. 3. *Right of way limited.*—That such right to dig and construct such ditches, dykes, flumes, and canals over and across the lands of another shall only extend to so much digging, cutting, or excavation as may be necessary for the purposes required.

SEC. 4. *Controversies, how determined.*—That in all controversies respecting rights to water, under the provisions of this act, the same shall be determined by the date of appropriation as respectively made by the parties, whether for mining, milling, agricultural, or domestic purposes.

SEC. 5. *Deterioration or diminution not to be considered.*—That the waters of the streams or creeks of the territory may be made available to the full extent of the capacity thereof for mining, milling, agricultural, or domestic purposes, without regard to deterioration in quality or diminution in quantity, so that the same do not materially affect or impair the rights of the prior appropriator.

SEC. 6. *Penalty for damaging lands.*—That any person or persons, corporation, or company damaging or injuring the lands or possessions of another by reason of cutting or digging ditches or canals or erecting flumes, as provided by section two of this act, the party so committing such injury or damage shall be liable to the party so injured for the actual damage occasioned thereby.

SEC. 7. *Abandoned water-right, bridging ditches, etc.*—That this act shall not be so construed as to impair or in any way or manner interfere with the rights of parties to the use of the waters of such streams or creeks acquired before the passage of this act: *Provided*, That all water-rights or ditches that have not been used or worked upon for one year next prior to the passage of this act shall be deemed abandoned and forfeited, and subject to appropriation anew. That any person or persons, corporation or company, who may dig any ditch or canal, dyke or flume, over or across any public road, trail, or highway, or who use the waters of such ditch, dyke, flume, or canal, shall be required to bridge the same and keep the same in good repair at such crossing or other places where the water from any such ditch, dykes, flumes, or canals may flow over or in anywise injure any road, trail, or highway, either by bridges or otherwise.

SEC. 8. *Penalty for failure to comply with provisions of section 7.*—That any person or persons, corporation, or company offending against section seven of this act, on conviction thereof, shall forfeit and pay for every such offense a penalty of not less than twenty-five dollars nor more than one hundred dollars, to be recovered, with costs of suit, in civil action, in the name of the territory of Dakota, before any court having jurisdiction. One-half of the fine so collected shall be paid into the county treasury for the benefit of the common schools of the county in which the offense was committed, and the other half shall be paid to the person or persons informing the nearest magistrate that such offense has been committed. All such fines and costs shall be collected without stay of execution, and such defendant or defendants may, by order of the court, be confined in the county jail until such fine and costs have been paid.

SEC. 9. *Manner of locating water-rights.*—That any person or persons, corporation, or company appropriating the waters of any streams or creeks in this territory shall turn the water from the channel of such creek or stream, and construct at least twenty feet of ditch or flume, within thirty days from the date of appropriation, and turn the water therein, and construct at least twenty rods of said ditch or flume, if needed, within six months from the date of such appropriation, and turn the water therein; and within twenty days from the date of location the locator or locators of such water-right shall file a location certificate thereof with the register of deeds in the proper county within which such water-right is situated; a copy of such certificate shall be posted at or near the head of such ditch, flume, or canal, and shall contain the name or names of the locators, the date of location, number

of inches of water claimed or appropriated, and the purpose of the appropriation, and in no case shall the number of inches of water claimed exceed the conveying capacity of the first twenty feet of the flume or ditch, nor shall said ditch or flume be enlarged to the prejudice or injury of a subsequent appropriator before such enlargement.

SEC. 10. *When abandoned.*—A failure to commence the construction of such ditch or flume for sixty days after location, and prosecute such ditch, canal, or flume to a final completion, without unnecessary delay, such appropriation shall be deemed abandoned.

SEC. 11. This act shall take effect and be in force from and after its passage and approval.

CHAP. XIII.

AN ACT in relation to the execution of the judgment in civil actions. (Rev. Codes, p. 534.)

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EXEMPTIONS.

SECTION 322. *Exempt from all process.*—Except as hereinafter provided, the property mentioned under this heading is exempt from attachment or mesne process, and from levy and sale on execution, and from any other final process issued from any court.

SEC. 323. *Absolute exemptions.*—The property mentioned in this section is absolutely exempt from all such process, levy, or sale:

1. All family pictures.
2. A pew or other sitting in any house of worship.
3. A lot or lots in any burial ground.
4. The family bible, and all school-books used by the family, and all other books used as a part of the family library, not exceeding in value one hundred dollars.
5. All wearing apparel and clothing of the debtor and his family.
6. The provisions for the debtor and his family necessary for one year's supply, either provided or growing, or both, and fuel necessary for one year.
7. The homestead, as created, defined, and limited by law.

SEC. 324. *Additional exemptions.*—In addition to the property mentioned in the preceding section, the debtor may, by himself or his agent, select, from all other of his personal property not absolutely exempt, goods, chattels, merchandise, money, or other personal property, not to exceed in the aggregate fifteen hundred dollars in value, which is also exempt, and must be chosen and appraised as hereinafter provided.

SEC. 325. * * * 4. The tools and implements of any mechanic, whether a minor or of age, used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade not exceeding two hundred dollars in value. The library and instruments of any professional person, not exceeding six hundred dollars in value.

SEC. 326. *Those by number chosen; by value appraised.*—All the articles enumerated in the preceding section which are exempt by limitation of number must be chosen by the debtor, his agent, or attorney; so, also, all property exempt by limitation of value must be determined by an appraisment made under the direction of the sheriff or other officer.

IDAHO.

REVISED LAWS OF 1874–'75.

AN ACT for perfecting titles to quartz-claims in the county of Idaho. (Sess. Laws, 1865–'66, p. 201.)

SECTION 1. That all transfers of quartz-claims in the county of Idado, made by bill of sale, without acknowledgment by a proper officer, prior to the passage of this act, shall be full and valid in law in all cases when the person purchasing has taken possession of the same, either in person or constructively.

SEC. 2. This act to take effect and be in force from and after its approval by the governor.

AN ACT providing for the taking effect of certain acts; for continuing in force certain acts; for repealing certain acts; for the appointment of a revisory commission, and defining their authority and duties; and making an appropriation for the payment of the printing and publishing of the Code provided for by law; and for the distribution of the statutes of Idaho. (Approved January 15, 1875; Rev. Laws, p. 870.)

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SECTION 3. That said commission are hereby further empowered and authorized to carefully examine each and every act of the legislative assembly of the territory of Idaho of a public character, passed at the first, second,

third, fourth, fifth, sixth, and seventh sessions thereof, and shall designate such as are not repealed, and not inconsistent or repugnant to any act or part of act passed at the present session, which act so designated shall be printed and published in a volume with the acts known as the Code, as provided for at the present session; and such designated acts are hereby declared to be continued in force.

SEC. 4. That all acts and parts of acts passed and approved at the first, second, third, fourth, fifth, sixth, and seventh sessions of the legislative assembly of the territory of Idaho of a public character, and not designated by the revisory commission as in section third of this act provided, be, and the same are hereby, repealed on and after 12 o'clock (noon) on the first day of July, A. D. 1875.

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NOTE.—"An act relating to the discovery of gold and silver quartz-lodes, and of the manner of their location," is (with exception of certain interlineations and of the omission in this act of section 9 of the original act) the same as act of January 12, 1866, 3d session.

NOTE.—The following acts are continued in force (see Appendix to Revised Laws):

AN ACT for perfecting title to quartz-claims in the county of Idaho.

AN ACT relating to the recording of quartz-claims in Owyhee and Alturas counties, and fixing the fees therefor.

AN ACT relating to the discovery of gold and silver quartz-lodes, and of the manner of their location. (Approved January 12, 1866; Rev. Laws, p. 777.)

SECTION 1. That any person or persons who may hereafter discover any quartz lead or lode shall be entitled to one claim thereon by right of discovery, and one claim each by right of location: *Provided*, That no person shall be entitled to hold more than one claim by right of location on any one lead or lode, and that no person be entitled, or have the right to locate, or to hold by location, or to have recorded any claim or claims on any lead or lode, unless he be a resident or inhabitant of this territory.

NOTE.—This act was repealed by "An act relating to the location and recording of mining claims", approved February 10, 1881 (Gen. Laws, 1880–'81, p. 262).

SEC. 2. That any quartz-claim shall consist of two hundred feet in length along the lead or lode, by one hundred feet in width, being fifty feet on each side of said lead or lode, covering and including all dips, spurs, and angles within the bounds of said claim; and also the right of drainage, tunneling, and such other privileges as may be necessary to the working of said claim: *Provided*, That nothing in this act shall be so construed as to give any claimant or claimants any right to any separate or distinct lodes other than the one claimed, running the width of said claim, or to obstruct any subsequent claimants in working and improving such distinct ledge; and the center of the ground between such ledges shall be the dividing line between such claimants.

NOTE.—Section 2 of this act is repealed by act of February 21, 1879, and all future locations are to be made in accordance with act of Congress, May 10, 1872, and prior locations made in accordance with that act (May 10, 1872) are legalized and confirmed, but no vested rights are to be invalidated.

SEC. 3. The locator or locators of any quartz-claim or claims on any lead or lode shall, at the time of locating said claim or claims, place a substantial stake, not less than three inches in diameter, at each end of the claim so located: *Provided*, That where two or more claims are located together and recorded in one notice, then the aforesaid stakes shall be placed at each end of the claims so located in one notice. On said stake at each end of said claim or claims shall be placed a notice in writing, and said notice shall contain the date of the location of said claim or claims, the name or names of the locator or locators, the name of the lead or lode on which said claim or claims are located, the number of feet so claimed by each of said locators, the distance to the nearest end of said claim or claims from the discovery stake, the direction, as nearly as possible, from the discovery stake, and the direction said claim or claims extend in, as nearly as may be, from the point designated as its or their commencement, and, where more than one person join in one notice in locating said claims, shall state the actual number of feet claimed, and the portion of the ground so claimed by each person so locating.

SEC. 4. Two or more persons may locate or take claims together in a body by joining in a notice specifying the number of claims so located, and the name of each person so joining in such location being written under the notice; but the claims so located shall not exceed two hundred feet for each person so locating; and said claims shall, on said notice, be numbered and designated as segregated claims, and shall designate the position of the said segregated ground in said claims so located in one notice, including, when necessary, a discovery claim, except where it may be necessary to include a claim by right of discovery, and the notice shall then state in whose name or names said discovery claim is located. Persons so joining in one notice shall be considered as tenants in common so soon as the work hereinafter required to be done shall be fully finished and performed. The work hereinafter required to be performed on a quartz-claim, to entitle the locator or his assigns to hold the same as real estate, may be performed on any one of the claims so held under one notice: *Provided*, It be equal in value to one hundred dollars for each and every two hundred feet held under one notice, including the discovery claim; but when any claims have been located by two or more persons in one notice, so soon as the work as required by this act has been performed on said claim or claims, to wit: one hundred dollars' worth of work for each and every two hundred feet included in the

notice locating said claims, the said claimants shall be deemed tenants in common, and shall be subject to all the rights, privileges, and benefits, responsibilities, and liabilities of tenants in common.

SEC. 5. All claims shall be recorded in the recorder's office of the county in which such lead or lode shall be discovered, by filing with the recorder a copy of the notice placed on the ledge or lode, or a similar notice containing the name of the ledge or lode, the name or names of the locators, the number of feet claimed, the date of location, the direction in which the ledge or lode runs, the district and county in which the ledge or lode may be, and the general distance and direction from some known or initial points, and any other fact or statement by which the ledge may be identified, known, or found. Said notice shall be filed within ten days after the location of any claim or claims on any ledge or lode, and the person or persons named in the notice shall, each one for himself, and not one for the other, within three days after filing the notice, appear in person at the recorder's office and authorize the recording of the same in their name or names, and no record shall be legal or valid without the personal appearance of the person or persons named in the notice. At the recorder's office the recorder shall record the same in a book kept for that purpose, and called "the book of quartz-claims", to which there shall be complete and full duplicate index kept by the recorder, and the recorder shall be entitled to receive a fee of twenty-five cents for filing each notice, one dollar for each quartz-claim recorded, and twenty-five cents for indexing each name in notice recorded with the name or names thereon: *Provided*, That if said lead or lode be more than thirty miles from the county-seat of said county, then the time for recording the same may extend to fifteen days. And all persons recording any claim or claims shall take an oath before the recorder of said county that said claim or claims have not been heretofore located according to law, or, if so located, that the said claim or claims have been abandoned or forfeited by non-fulfillment of the provisions of this act.

SEC. 6. Quartz-claims located and recorded in accordance with the provisions of this act shall entitle the person or persons so locating and recording to hold the same as real estate, to the use of himself, his heirs, and assigns: *Provided*, That within one year from and after the date of recording he or they shall cause to be performed one hundred dollars' worth of work for each and every claim of two hundred feet of said lead or lode, said work to consist of the following: The stripping the lead or lode, sinking of shafts, excavating of tunnels, obtaining machinery, and repairing material for working said lead or lode in good faith.

SEC. 7. Conveyances of quartz-claims shall require the same formalities, and shall be subject to the same rules of construction, as the transfer and conveyance of real estate.

SEC. 8. Any person or persons who shall willfully and maliciously tear down or destroy any notice posted on quartz-claims, or tear up or destroy any stakes marking quartz-claims, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars or not exceeding one hundred dollars, or by not less than thirty days nor more than six months' imprisonment in the county jail, or by both such fine and imprisonment, and all justices of the peace in their respective counties shall have jurisdiction of such offenses.

SEC. 9. Any person or persons desiring to preserve and perpetuate testimony as to the sufficiency of the amount of work done on any claim or claims to entitle him or them to hold them as real estate, according to the provisions of section six of this act, may take two disinterested persons to view such work, who shall carefully examine the same, immediately after which they shall go before the county recorder, or other officer by law authorized to administer oaths in the county, and take and subscribe an affidavit, containing, first, a description of the location of the claim or claims on which the work is performed, the character and value of such work, and the date when they received the same, which affidavit shall be filed by the county recorder and carefully preserved. Such affidavits, or certified copy of the same under the certificate of the county recorder who has the custody of the original affidavit or affidavits, shall, in any court of this territory, be *prima-facie* evidence of the character and amount of labor performed on the claim or claims which are described in such affidavit or affidavits. The recorder shall receive a fee of fifty cents for filing and preserving the affidavits required by this section.

SEC. 10. Any person or persons who may desire to run a tunnel into any hill or mountain, for the purpose of discovering or working mineral-bearing-quartz leads or lodes, shall be entitled to hold five hundred feet each way from the line of the tunnel on every lead or lode so discovered: *Provided*, The said lode has not been previously claimed and held according to law; and said person or persons shall also be entitled to hold three hundred feet square at the entrance or entrances of said tunnel or tunnels for building, deepening, or other necessary purposes: *Provided further*, That nothing in this act shall be so construed as to invalidate the vested rights of other persons.

SEC. 11. The manner of locating tunnels shall be by posting a notice or notices at the entrance or entrances of the tunnel, describing the line of the tunnel, and of the dumping-ground, which notice shall be signed by all the parties interested, stating the interest of each person.

SEC. 12. A copy of said notice shall be recorded in the office of the county recorder within ten days from the time of location, and the recorder shall receive two dollars for recording said notice.

SEC. 13. The parties claiming any tunnel shall, within one year from the time of location, perform, or cause to be performed, five hundred dollars' worth of labor on said tunnel; and when a quartz lead or lode belonging to such tunnel company shall be struck it shall become real estate, and any person or persons interested in any tunnel who shall fail to perform his or their proportion of the labor required by this act within the time specified shall forfeit

all his or their rights in said tunnel; and those who do perform their portion of said labor in the required time shall acquire all the rights of such delinquent parties, and shall proceed immediately to perform the requisite amount of labor, and any tunnel-site becoming vacant by non-fulfillment of the law shall not be subject to relocation by the same parties.

SEC. 14. That an act entitled "An act relating to the discovery of gold and silver bearing quartz-ledges, and of the manner of their location", approved December thirteenth, A. D. eighteen hundred and sixty-four, and all other acts or sections of acts in conflict with this act be, and the same are hereby, repealed.

SEC. 15. This act to take effect and be in force from and after its approval by the governor.

AN ACT to provide for the protecting of stock about quartz-mills. (Approved January 10, 1873; Sess. Laws, 1872–'73, p. 61.)

SECTION 1. That all owners and operators of quartz-mills in this territory shall inclose, with a good and substantial fence sufficient to turn stock, all reservoirs and dumps, or other material, when known to contain poison which is injurious to the health and destructive to the life of stock, and shall construct a suitable drain to convey the water from such reservoirs or dumps into a running stream.

SEC. 2. Every person or persons who shall fail to comply with the provisions of section one of this act shall be liable to the owners of any horse, mule, cow, or other stock that may be injured, poisoned, or destroyed by drinking the water or acids that may flow from said mills, in a civil action, in twice the damage done, if said stock shall be injured or poisoned, and in twice the value of the property if said stock shall be killed or destroyed: *Provided*, That the provisions of this act shall only apply to Alturas county.

SEC. 3. This act shall take effect and be in force from and after its passage.

AN ACT concerning corporations. (Approved January 12, 1875; Rev. Laws, 1874–'75, p. 618.)

Sec.
1. For what purposes corporations may be formed; limitations of.
2. How a corporation is formed; the certificate; what to contain when filed.
3. What the certificate proves.
4. The corporation; its powers.
5. Board of trustees, their election, etc.
6. Election valid whenever held.
7. Majority of board rules.
8. First meeting of trustees, how called.
9. Transfer of stock, how made.
10. Powers of trustees; levy of assessments; their collection.
11. The trustees, etc., to represent stock held in trust.
12. Stock may be pledged, yet represented.
13. Fictitious dividends forbidden.
14. Indebtedness not to exceed paid-in capital stock; liability of trustees.
15. Not to issue notes, etc., as money.
16. Liability of stockholders individually.
17. The trustees, etc., or collateral holder of stock not personally liable.
18. Books of mining and water companies open to inspection, transcripts from.
19. Penalty, etc., upon officer or the corporation for disobeying this act.
20. May increase or diminish capital stock.
21. Proceedings to increase or diminish stock.
22. Certificate of proceedings of meeting to increase stock, etc., to be filed in certain offices.
23. Dissolution, duties and powers of trustee upon.
24. Dissolution, proceedings to effect.
25. There being no officer to call or preside at meetings, how to proceed.
26. At such meeting officers may be elected and other business transacted.

SECTION 1. Corporations for manufacturing, mining, mechanical, chemical, or agricultural purposes, for constructing telegraph-lines, for making roads, for establishing ferries, for building bridges, for conveying water, or for the purpose of engaging in any species of trade or commerce, or the construction and operation of irrigating ditches and canals and of the lands in connection therewith, or for colleges, seminaries, churches, libraries, or any benevolent, charitable, or scientific association, may be formed according to the provisions of this act, such corporation and members thereof being subject to the conditions and liabilities herein imposed, and to none other: *Provided*, That nothing in this section shall be so construed as to authorize a company formed under it to own or hold possession of more than fourteen hundred and forty acres of land, or to authorize an individual member of such company or association, in his corporate capacity, to hold, own, or possess a number of acres to exceed eighty: *And provided further*, That no corporation formed for agricultural purposes shall be allowed to hold any mineral lands under the provisions of this act.

SEC. 2. Any three or more persons who may desire to form a company for one or more of the purposes specified in the preceding section may make, sign, and acknowledge before some officer competent to take the acknowledgment of deeds, and file in the office of the clerk of the district court of the judicial district in which the principal place of business of the company is intended to be located, and a certified copy thereof, under the hand of the clerk and seal of said court in the said district, in the office of the secretary of the territory, a certificate in writing, in which shall be stated the corporate name of the company, the object for which the company shall be formed, the amount of its capital stock, the time of its existence, not to exceed fifty years, the number of shares of which the stock shall consist, the number of trustees, and their names, who shall manage the concerns of the company for the first

three months, and the name of the city or town and county in which the principal place of business of the company is to be located.

SEC. 3. A copy of any certificate of incorporation filed in pursuance of this act, and certified by the county clerk or the clerk of the district court in the county or district in which it is filed, or his deputy, or by the secretary of the territory, shall be received in all courts and places as presumptive evidence of the facts therein stated.

SEC. 4. When the certificate shall have been filed, the persons who shall have signed and acknowledged the same, and their successors, shall be a body politic and corporate, in fact and in name, by the name stated in the certificate, and by their corporate name shall have succession for the period limited, and power:

First. To sue and be sued in any court.

Second. To make and use a common seal, and alter the same at pleasure.

Third. To purchase, hold, sell, and convey such real and personal estate as the purposes of the corporation shall require.

Fourth. To appoint such officers, agents, and servants as the business of the corporation may require; to define their powers, prescribe their duties, and fix their compensation.

Fifth. To require of them such security as may be thought proper for the fulfillment of their duties, and to remove them at will, except that no trustee shall be removed from office unless by a vote of two-thirds of the whole number of trustees, or by a vote of a majority of the trustees upon a written request signed by stockholders legally representing two-thirds of the whole stock.

Sixth. To make by-laws, not inconsistent with the laws of this territory or of the United States, for the organization of the company, the management of its prosperity, the regulation of its affairs, the transfer of its stock, and for carrying on all kinds of business within the objects and purposes of the company.

SEC. 5. The corporate powers of the corporation shall be exercised by the board of not less than three trustees, who shall be stockholders in the company, and a majority of them citizens of the United States and residents of this territory, and who shall, after the expiration of the term of the trustees first elected, be annually elected by stockholders at such time and place, and upon such notice, and in such mode as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he owns shares of stock, and the persons receiving the greatest number of votes shall be and act as trustees. When any vacancy shall happen among the trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as may be provided by the by-laws of the company.

SEC. 6. If it should happen at any time that an election of trustees shall not be made on the day designated by the by-laws of the company, the corporation shall not for that reason be dissolved, but it shall be lawful on any other day to hold an election for trustees in such manner as shall be provided for by the by-laws of the company; and all acts of trustees shall be valid and binding upon the company until successors shall be elected.

SEC. 7. A majority of the whole number of trustees shall form a board for the transaction of business, and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

SEC. 8. The first meeting of the trustees shall be called by a notice signed by one or more of the persons named trustees in the certificate, setting forth the time and place of meeting, which notice shall be either delivered personally to each trustee or published at least ten days in some newspaper of the county in which is the principal place of business of the corporation, or if no newspaper be published in the county, then in some newspaper published nearest thereto.

SEC. 9. The stock of the company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the company; but no transfer shall be valid, except between the parties thereto, until the same shall have so entered on the books of the company as to show the names of the parties by and to whom transferred, the number and designation of the same, and the date of the transfer.

SEC. 10. The trustees shall have power to call in and demand from the stockholders the sums by them subscribed, at such times and in such payments or installments as they may deem proper; notice of such assessment shall be given to the stockholders personally, or shall be published once a week for at least four weeks in some newspaper published at the place designated as the principal place of business of the corporation, or, if none is published there, in some newspaper published nearest to such place. If, after such notice shall have been given, any stockholder shall make default in the payment of the assessment upon the shares held by him, so many of such shares may be sold as will be necessary for the payment of the assessment on all the shares held by him. The sale of said shares shall be made as prescribed in the by-laws of the company: *Provided*, That no sale shall be made, except at public auction to the highest bidder, after a notice of thirty days, published as above directed in this section; and that at such sale the person who will agree to pay the assessment so due, together with the expense of advertisement and the other expenses of sale, for the smallest number of whole shares, shall be deemed the highest bidder.

SEC. 11. Whenever any stock is held by any person as executor, administrator, guardian, or trustee, he shall represent such stock at all meetings of the company and vote accordingly as a stockholder.

SEC. 12. Any stockholder may pledge his stock by a delivery of his certificate or other evidence of his interest, but may nevertheless represent the same at all meetings, and vote accordingly as a stockholder.

SEC. 13. It shall not be lawful for the trustees to make any dividend except from the surplus profits arising from the business of the corporation, nor to divide, withdraw, or in any way pay the stockholders, or any of them, any part of the capital stock of the company, nor to reduce the capital stock, unless in the manner prescribed in this act; and in case of any violation of the provisions of this section, the trustees under whose administration the same have happened, except those who may have caused their dissent therefrom to be entered at large in the minutes of the board of trustees at the time, or were not present when the same did happen, shall, in their individual and private capacity, be jointly and severally liable to the corporation and the creditors thereof, in the event of its dissolution, to the full amount so divided, withdrawn, paid out, or reduced: *Provided*, That this section shall not be so construed as to prevent a division and distribution of the capital stock of the company which shall remain after the payment of all its debts upon the dissolution of the corporation or the extinction of its charter.

SEC. 14. The total amount of the debts of the corporation shall not at any time exceed the amount of the capital stock actually paid in, and in case of any excess the trustees under whose administration the same may have happened, except those who have caused their dissent therefrom to be entered at large on the minutes of the board of trustees at the time, and except those not present when the same did happen, shall, in their individual and private capacities, be liable, jointly and severally, to the said corporation, and in the event of its dissolution, to any of the creditors thereof, for the full amount of such excess.

SEC. 15. No corporation organized under this act shall, by any implication or construction, be deemed to possess the power of issuing bills, notes, or other evidences of debt for circulation as money.

SEC. 16. Each stockholder shall be individually and personally liable for his proportion of all the debts and liabilities of the company contracted or incurred during the time that he was a stockholder, for the recovery of which joint or several actions may be instituted, and a judgment in such actions shall be recovered against joint stockholders; the court in the trial thereof shall apportion the amount of the liability of each, and in the execution thereof no stockholder shall be liable beyond his proportion so ascertained.

SEC. 17. No person holding stock as executor, administrator, guardian, or trustee, or holding it as collateral security, or in pledge, shall be personally subject to any liability as a stockholder of the company, but the person pledging the stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and the estate and funds in the hands of the executor, administrator, guardian, or trustee shall be liable in like manner and to the same extent as the testator or intestate, or the ward or person interested in the trust fund, would have been if he had been living and competent to act and hold the stock in his own name.

SEC. 18. It shall be the duty of the trustee of every company incorporated under this act for the purpose of ditching, mining, or conveying water for mining purposes to cause a book to be kept, containing the names of all persons, alphabetically arranged, who are, or shall become, stockholders of the corporation, and showing the number and designation of shares of stock held by them respectively, and the time when they respectively became the owners of such shares; also, a book, or books, in which shall be entered at length, in a plain and simple manner, all by-laws, orders, and resolutions of the company and board of trustees, and the manner and time of their adoption; which books, during the business hours of the day, Sundays, fourth of July, and the twenty-fifth day of December excepted, shall be open for the inspection of stockholders and the creditors of the company, each individual stockholder, and their duly authorized agents and attorneys, at the office or principal place of business of the company: *Provided*, That the office and books of every such company shall be kept, and the books of the company shall be opened, as aforesaid, in the county in which their principal business is transacted; and every stockholder and creditor, as aforesaid, or their agents, or attorneys, shall have the right to make extracts from such books, or upon payment of reasonable clerks' fees therefor, to demand and receive, from the clerk or other officer having the charge of such books, certified copies of entries; a certified copy of any entry shall be presumptive evidence of the facts therein stated in any action or proceeding against the company or any one or more of the stockholders.

SEC. 19. If the clerk or other officer having charge of such books shall make any false entry or neglect to make any proper entry therein, or shall refuse or neglect to exhibit the same, or allow the same to be inspected, or extracts to be taken therefrom, or to give a certified copy of an entry therein, as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the party injured a penalty of one hundred dollars and all damages resulting therefrom, to be recovered in any court of competent jurisdiction in this territory; and for neglect to keep up such books for inspection, and in place provided for in last section, the corporation shall forfeit to the people of Idaho territory the sum of two hundred and fifty dollars for every day they shall so neglect, to be sued for and recovered before any court of competent jurisdiction in the county or district in which the principal business of such company is transacted; and it shall be the duty of the district attorney within and for such district to prosecute such action in the name of, and for the benefit of, the people of Idaho territory; and it is further provided that in case any such incorporated company shall refuse or neglect, for the space of one full year after the passage of this act, to comply with the provisions of this and the preceding section, then, upon the showing of such facts by petition of any person aggrieved thereby, and due proof thereof before the district judge in the district in which such company's principal business is transacted, after such company shall have been duly notified thereof by summons, to be issued by said judge, citing such company to appear before such judge at a time and place therein mentioned, which shall not be less than ten nor more than thirty days from the date of such summons, such company shall by said judge be declared and decreed to be disincorporated so far as to deprive said company

of all the privileges of this act, but in no manner to affect the remedy of all persons against such company, to be exercised as this act provides: *Provided*, That nothing contained in the provisions of this section concerning the disincorporation of such companies shall be so construed as to prevent the enforcement of the other remedies in this section mentioned, at any time after the passage of this act, except as herein provided.

SEC. 20. Any company incorporated under this act may, by complying with the provisions herein contained, increase or diminish its capital stock to any amount which may be deemed sufficient and proper for the purposes of the corporation; but before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of its debts and liabilities shall exceed the sum to which the capital is proposed to be diminished, such amount shall be satisfied and reduced so as not to exceed the diminished amount of capital.

SEC. 21. Whenever it is desired to increase or diminish the amount of capital stock, a meeting of the stockholders may be called by a notice signed by at least a majority of the trustees, and published for at least four weeks in some newspaper published in the county where the principal place of business of the company is located, or in some newspaper nearest thereto; which notice shall specify the object of the meeting, the time and place where it is to be held, the amount to which it is proposed to increase or diminish the capital; and a vote of two-thirds of all the shares of stock shall be necessary to an increase or diminution of the amount of capital stock.

SEC. 22. If, at any meeting so called, a sufficient number of votes has been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital actually paid in, the whole amount of the debts and liabilities of the company, and the amount to which the capital stock is to be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman and secretary of the meeting, certified by a majority of the trustees, and filed as required by the second section of this act, and when so filed the capital stock of the corporation shall be increased or diminished to the amount specified in the certificate.

SEC. 23. Upon the dissolution of any corporation formed under this act, the trustees, at the time of the dissolution, shall be trustees of the creditors and stockholders of the corporation dissolved, and shall have full power and authority to sue for and recover the debts and property of the corporation by the name of the trustees of such corporation, collect and pay the outstanding debts, settle all its affairs, and divide among the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

SEC. 24. Any corporation formed under this act may dissolve and disincorporate itself by presenting to the district judge of the district in which the meetings of the trustees are usually held a petition to that effect, accompanied by a certificate of its proper officers, and setting forth that, at a general or special meeting of the stockholders called for that purpose, it was decided by a vote of two-thirds of all the stockholders to disincorporate and dissolve the corporation. Notice of the application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in some newspaper of the county once a week for four consecutive weeks, or, if no newspaper is published in the county, by advertisement posted up for thirty days in three of the most public places in the county. At the time and place appointed, or at any other to which it may be postponed by the judge, he shall proceed to consider the application, and if satisfied that the corporation has taken the necessary preliminary steps and obtained the necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

SEC. 25. Whenever, by reason of death, absence from the county, or other legal impediments of the officers of any corporation, there shall be no person duly authorized to call or preside at a legal meeting thereof, any justice of the peace of the county where such corporation is established may, on the written application of three or more of the members thereof, or of one or more of the trustees named in the articles of incorporation, issue a warrant to either of said members or trustees, directing him to call a meeting of the corporation by giving such notice as is required by law for the first meeting of trustees, and the justice may, in the same warrant, direct such person to preside at such meeting until a clerk shall be duly chosen and qualified, if there shall be no other officer present legally authorized to preside thereat.

SEC. 26. The members of such corporation who shall so assemble may elect officers to fill all vacancies then existing, and may act upon and transact such other business as might lawfully be transacted at a regular meeting of the corporation; and the regularity or validity of any such meeting or of any action thereof shall not be questioned or inquired into collaterally in any private suit.

AN ACT prescribing the mode of maintaining and defending possessory actions on the public lands in this territory. (Approved December 10, 1864; Sess. Laws, 2d sess., 1864, p. 421; Gen. Laws, p. 751.)

Sec.
1. Who may settle on public domain.
2. Claim, what to contain.
3. Claim, how described; shall be recorded.
4. Shall improve, how and when.
5. Action for possession, plaintiff to prove.
6. Act to take effect, when.

SECTION 1. Any person, being a citizen of the United States, or having, in accordance with law, declared his intention to become a citizen, now occupying and settled upon, or who may hereafter occupy or settle upon, any of

the public lands of the United States in this territory, for the purpose of cultivating or grazing the same, may commence and maintain any action for interference with, or injury to, his possession of such land against any person or persons interfering with or injuring the same: *Provided*, That, if such land contains mines of any of the precious metals, the possession or claim of the person or persons occupying the same for the purposes aforesaid shall not prevent the working of such mines by persons desiring to work the same as fully as if no such claim for agricultural or grazing purposes had been made thereon: *Provided further*, That this act shall not be so construed as to allow persons who have, subsequent to the location of land for agricultural or grazing purposes, to go upon such lands for the purpose of mining without either first paying the owner thereof the value of any growing crops they may destroy, or giving bonds for the same; this provision not to extend to any crops planted upon any lands subsequent to their location for mining purposes: *And provided further*, That this act shall not be construed to authorize the maintenance of any claim upon lands which, at the commencement of any such action, may have been selected by the United States and reserved for any purpose.

SEC. 2. Every claim, to enable the holder to maintain any action as aforesaid, shall contain not more than one hundred and sixty acres of lands; shall be in a compact form, and in no place less than eighty rods in width, and so distinctly marked that the boundaries thereof may be easily traced.

SEC. 3. Every such claim shall be accurately described in a written notice, which shall be recorded in the office of the recorder of the county wherein the claim shall be situated, in a book to be kept by him for that purpose, together with an affidavit of the claimant, setting forth:

First. That such claim does not embrace more than one hundred and sixty acres of land.

Second. That he or she holds no other claim under the provisions of this act.

Third. That, to the best of his or her information and belief, no part of said land is claimed under any existing adverse title.

SEC. 4. Within ninety days after the date of such record, said claimant shall improve the land so recorded, unless the same shall have been previously done by him or some one through whom he claims, by putting such improvements thereon as shall partake of the realty to the value of two hundred dollars, and shall continue to occupy and to cultivate or graze the same, or some portion thereof, either in person or by his agent or employé; and no person shall be entitled to maintain any such action unless he shall have complied with all the provisions of this act.

SEC. 5. In any action for the possession of, or for any injury done to, a lot or parcel of land situated in any city, town, or village on the public lands in this territory, the plaintiff shall be required to prove either an actual inclosure of the whole lot claimed by him, or the erection of a dwelling-house or other substantial building on some part thereof, by himself or some person through whom he claims, and proof of such building, with or without inclosure, shall be sufficient to hold such lot or parcel to the bounds thereof, as indicated by the plat of such city, town, or village, if there be one, and if there be no such plat, then to hold the same, with its full width and extent, from and including such building to the nearest adjacent street where the intervening space shall not have been previously claimed by adverse possession.

SEC. 6. This act to take effect and be in force from and after its approval by the governor.

SESSION LAWS, 1876, 1877, 1879.

AN ACT concerning rights of way, easements, and other necessary means for the development of mines. (Approved January 12, 1877; Sess. Laws, 1876–'77, p. 70.)

Whereas the Congress of the United States, by an act approved July 26, 1866, and an act amendatory thereto, approved July 9, 1870, has provided that the local legislatures of the several states and territories may provide rules for working mines, involving easements, drainage, and other necessary means to complete development of mines upon which patents shall be granted by the United States, in the absence of necessary legislation by Congress; and whereas there has been no legislation by Congress upon this subject: Therefore,

Be it enacted, etc., SECTION 1. The proprietor, owner, or owners of mining-claims, whether patented under the laws of the United States or held under the local laws and customs of this territory, shall have a right of way for ingress and egress, for the necessary purpose, over and across the lands or mining-claims (patented or otherwise) of others, as hereinafter prescribed.

SEC. 2. Whenever any such mine or mining-claim shall be so situated that it cannot be conveniently worked without a road thereto, or a ditch to convey the water thereto, or a ditch or a cut to convey the water therefrom, or without a flume to carry water and tailings therefrom, or without a shaft or a tunnel thereto, which road, ditch, cut, flume, shaft, or tunnel shall necessarily pass over, under, through, or across any lands or mining-claim owned or occupied by others, either under a patent from the United States or otherwise, then shall such first-mentioned owner or owners be entitled to a right of way for such road, ditch, cut, flume, shaft, or tunnel over, under, through, and across such other lands or mining-claims, upon compliance with the provisions of this act.

NOTE.—Section 2 of this act was amended, and new section 2 provided by the act approved January 7, 1881 (Gen. Laws, 1880–'81, p. 266).

SEC. 3. Whenever the owner or owners of any mine or mining-claims shall desire to work the same, and it is necessary, to enable him or them to do so successfully and conveniently, that he or they should have a right of way for any of the purposes mentioned in the foregoing sections, and if such right of way shall not have been acquired by agreement between him or them and the claimants or owners of the lands or claims over, under, across, and upon which he or they seek to establish such right of way, it shall be lawful for him or them to present to the judge of the district court of the territory of Idaho, within and for the county in which such right of way, or some part thereof, sought to be enforced is situated, or to which such county is attached for judicial purposes, a petition praying that such right of way be awarded to him or them. Such petition shall be verified, and contain a particular description of the character and extent of the right sought, a description of the mine or claims of the petitioner, and the claim or claims and the lands to be affected by such right or privileges, with the names of the occupants or owners thereof. It may also set forth any tender or offer hereinafter mentioned, and shall demand the relief sought.

SEC. 4. Upon the receipt of such petition and filing thereof with the clerk of such court, the judge shall direct a citation to be issued, under the seal of such court, to the owners named in the petition of mining-claims and lands to be affected by the proceedings, requiring them, and each of them, to appear before the judge on a day therein named, which shall not be less than ten days from the service thereof, and show cause why such right of way should not be allowed as prayed for; such citation shall be served on each of the parties in the manner prescribed by law for serving summons in ordinary proceedings at law.

SEC. 5. Upon the return day of the citation, or upon any day to which the hearing shall be adjourned, the judge shall proceed to hear the allegations and proofs of the respective parties, and if upon such hearing he is satisfied that the claims of the petitioners can only be conveniently worked by means of the privilege prayed for, he shall make an order adjudging and awarding to the petitioner such right of way, and shall appoint three commissioners, who shall be disinterested parties and residents of the county, to assess the damages resulting to the lands or claims affected by such order.

SEC. 6. The commissioners so appointed shall be sworn or affirmed to faithfully and impartially discharge their duties, and shall proceed without unreasonable delay to examine the premises, and shall assess the damages resulting from such right or privilege prayed for, and report the amount of the same to the judge appointing them; and if such right of way shall affect the property of more than one person or company, such report shall contain an assessment of damages to each company or person.

SEC. 7. For good cause shown, the judge may set aside the report of such commissioners, and appoint three other commissioners, whose duties shall be the same as above mentioned.

SEC. 8. Upon the payment of the sum assessed as damages, as aforesaid, to the persons to whom it shall be awarded, or a tender thereof to them, then the person or persons petitioning, as aforesaid, shall be entitled to the right of way as prayed for in their or his petition, and may immediately proceed to occupy the same and erect thereon such works and structures and make therein such excavations as may be necessary to the use and enjoyment of the right of way so awarded.

SEC. 9. Appeals from the assessment of damages made by the commissioners may be made and prosecuted in the proper district court by any party interested, at any time within ten days after the filing of the report of the commissioners, and a written notice of such appeal shall be served upon the appellee in the same manner as summons are served in civil actions. The appellant shall file with the clerk of the court to which the appeal is made a bond, with sureties to be approved by the clerk, in the amount of the assessment appealed from, in favor of the appellee, conditioned that the appellant shall pay any costs that may be awarded to the appellee and abide any judgment that may be rendered in the cause.

SEC. 10. Appeals shall bring before the appellate court only the property and the amount of damages, and may be tried by the court or before a jury as other cases in the court.

SEC. 11. The prosecution of any appeal shall not hinder, delay, or prevent the appellee from exercising all the rights and privileges mentioned in section eight of this act: *Provided*, That the appellee shall file with the clerk of the court in which the appeal is pending a bond, with sufficient sureties to be approved by the clerk, in double the amount of the assessment appealed from, conditioned that the appellee shall pay to the appellant whatever amount he may recover in the action.

SEC. 12. If the appellant recover fifty dollars more damages than the commissioners shall have awarded, or the appellee shall offer to allow judgment against him to be taken, the appellee shall pay the costs of the appeal, otherwise the appellant shall pay such costs.

SEC. 13. The costs and expenses of proceedings under the provisions of this act, except as herein otherwise provided, shall be paid by the party making the application: *Provided, however*, That if the applicant shall, before the commencement of such proceedings, have tendered to the parties owning or occupying the lands or mining-claims a sum equal to or more than the amount of damages recovered by the defendant or defendants, then all the costs and expenses shall be paid by the party or parties owning the lands or claims affected by such right of way, and who appeared and resisted the claim of the applicants thereto.

SEC. 14. This act to be in force and take effect from and after its passage: *Provided*, That this bill shall not apply to the counties of Boisé, Idaho, Nez Percé, and Shoshone.

AN ACT to encourage agriculture and manufactures, and to provide a right of way for canals, water ditches, etc. (Approved January 12, 1877; Sess. Laws, 1876–'77, p. 54.)

SECTION 1. Any person or persons who shall own or occupy lands in this territory shall have the right of way across the lands of any other person or persons for the purpose of conveying water by ditches or flumes on his or their lands for agricultural, mining, milling, or manufacturing purposes, by complying with the provisions of this act.

SEC. 2. The person or persons desiring the right of way across the lands of any other person or persons shall pay to such person or persons owning or occupying such lands such compensation therefor as may be mutually agreed upon by the parties interested, and in case the parties cannot agree, each party shall appoint one arbitrator, and in case either party shall neglect or refuse to appoint an arbitrator for the period of three days after written notice has been served on the party so refusing, requiring him or them to make such appointment, then it shall be lawful and shall be the duty of the district court of the county wherein the right of way is claimed, or the judge thereof, to appoint one arbitrator for the party so refusing, and the two arbitrators appointed as aforesaid shall select a third arbitrator. The arbitrators so appointed and selected shall appraise the value of the lands to be used for such canal, or for such ditching or fluming purposes, and shall hear and determine all questions of damages arising from the taking and use thereof, and assess the sum or amount to be paid for the said right of way. Before proceeding to appraise said lands or determine the damages for the taking thereof, the said arbitrators shall make and subscribe an oath that they will faithfully and honestly perform the duties of their appointment. After performing their duties aforesaid, the said arbitrators shall make their report to the district court of the said county, and the same shall be confirmed or set aside for cause shown, and if set aside, new arbitrators shall be appointed in the same manner as is hereinbefore prescribed, who shall proceed in like manner; and as soon as any award under the provisions of this act shall be affirmed by said district court, it shall have the effect of a judgment, and execution or any other process necessary to enforce the same may be issued by said court or by the clerk thereof. The report of the arbitrators aforesaid to the district court shall be in writing, and shall designate the line, course, and direction of the proposed canal, ditch, or flume for which a right of way is claimed.

SEC. 3. Upon payment of the damages assessed or awarded as aforesaid to the person or persons entitled thereto, the person or persons awarded the right of way may construct the canal, ditch, or flume authorized by the said award.

SEC. 4. All persons availing themselves of the benefits of this act shall construct and keep in good repair a sufficient number of good and substantial bridges and causeways wherever any public roads or highways may cross the canals, ditches, or flumes aforesaid. Any such person or persons failing to do so shall be guilty of a misdemeanor, and shall be liable in a civil action for all damages which may accrue to any person on account thereof.

SEC. 5. The arbitrators appointed and acting under the provisions of this act shall each receive three dollars for each day's service rendered under this act, and the clerk of the district court shall receive such compensation as is allowed for similar services in other cases, all of which shall be paid by the party applying for the right of way: *Provided*, That nothing in this act shall apply to any mining locality.

SEC. 6. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

AN ACT relating to the recording of quartz-claims in Owyhee and Alturas counties, and fixing the fees thereof. (Approved January 15, 1875; Sess. Laws, 1876–'77, p. 108.)

SECTION 1. The county recorders of Owyhee and Alturas counties shall be allowed to charge the fees now allowed by law for recording quartz-claims: *Provided*, That when any quartz-claim exceeds in length six hundred feet he shall not be allowed to charge more than five dollars therefor.

SEC. 2. This act to be in force from and after its passage.

NOTE.—This act was repealed by "An act relating to the location and recording of mining-claims", approved February 10, 1881 (Gen. Laws, 1880–'81, p. 262).

AN ACT supplemental to and amendatory of an act entitled "An act relating to the discovery of gold and silver bearing quartz-lodes, and of the manner of their location". (Approved January 4, 1877; Sess. Laws, 1876–'77, p. 20.)

SECTION 1. That an act entitled "An act relating to the discovery of gold and silver bearing quartz-lodes, and of the manner of their location", approved January the 12, A. D. 1875, be, and the same is hereby, amended by adding the following supplementary sections:

"SEC. 15. In mining districts distant thirty miles or more from the county-seat of the county in which such district is or may be situated, it shall be lawful for the county recorder to appoint, and he is hereby required on the application of five adult male citizens of such district to appoint, a resident deputy recorder, whose duties shall be as follows: To receive for record all notices of the location of quartz-claims, and enter the same in a book kept by him in said district for that purpose. That said deputy recorder is hereby authorized to administer the oath

required by law to be taken by the person or persons for whom such record shall be made, and enter a copy of the same on his book of records.

"SEC. 16. That said deputy recorder shall, at least once in six months, transmit to the county recorder a certified copy or transcript of all mining records made by him (not previously transmitted), and shall also transmit the original notices from which such records were made, and it shall be lawful for such deputy recorder to retain for his own use and benefit one-half the fees now allowed by law to county recorders for recording mining-claims, paying over the remaining half to the county recorder.

"SEC. 17. It shall be the duty of the county recorder, when such transcript shall have been received by him, to enter the same in the proper book of records for mining-claims, and place on file the original notices, as well as the transcript of the record forwarded by the deputy recorder.

"SEC. 18. The deputy recorders provided for in this act shall not by virtue of this act be authorized to perform any other than the special duties herein provided for."

SEC. 2. All laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

NOTE.—The act which is hereby amended was not continued in force by the revised laws of Idaho, 1874–'75. This act was repealed by "An act relating to the location and recording of mining-claims", approved February 10, 1881 (Gen. Laws, 1880–'81, p. 262).

AN ACT relating to the discovery of gold and silver quartz-lodes in Lemhi county, and the manner of their location. (Approved January 9, 1877; Sess. Laws, 1876–'77, p. 75.)

SECTION 1. That any person or persons who may hereafter discover any quartz lead or lode within the boundary of Lemhi county, in this territory, shall locate and represent the same in accordance with the act of Congress entitled "An act to promote the development of the mineral resources of the United States", approved May 10th, 1872.

SEC. 2. All quartz-claims hereafter located in the county of Lemhi shall be recorded in the recorder's office of said county, by filing with the recorder a copy of the notice placed on the lead or lode, or a similar notice, within ten days after the location of such lead or lode, and the recorder shall record the same in a book kept for that purpose, called "the book of quartz-claims", to which there shall be full and complete duplicate index kept by the recorder, and the recorder shall be entitled to receive a fee of twenty-five cents for filing each notice, one dollar for each claim recorded, and twenty-five cents for indorsing each name in the notice recorded: *Provided*, That if said lead or lode be more than thirty miles from the county seat of said county, then the time for recording the same may extend to twenty days; and all persons recording any claims shall take an oath that said claim has not heretofore been located according to law, or, if so located, the said claim has been abandoned or forfeited by non-fulfillment of the requirements of law; and the county recorder, or any justice of the peace, or any other officer of the county by law authorized, may administer said oath, which shall be recorded with the notice of location: *Provided*, That when two or more persons may join in the location of a claim, the oath of one of the locators shall be sufficient.

SEC. 3. Any person or persons who may desire to run a tunnel into any hill or mountain for the purpose of discovering or working mineral-bearing-quartz leads or lodes shall be entitled to hold three hundred feet square at the entrance of said tunnel for building, dumping, or other necessary purposes: *Provided*, That nothing in this act shall be so construed as to invalidate the vested rights of other persons.

SEC. 4. The manner of locating tunnels shall be by a notice at the entrance of the tunnel, describing the line of the tunnel and of the dumping-ground, which notice shall be signed by all parties interested, and a similar notice shall be recorded in the office of the county recorder, and the recorder shall receive a fee of two dollars for recording said notice.

SEC. 5. Any person or persons who shall willfully and maliciously tear down or destroy any notice posted on quartz-claims or tunnels, or tear up or destroy any stake, tree, or monument marking quartz-claims or tunnels, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars and not exceeding one hundred dollars, and by not less than thirty days' imprisonment and not more than six months in the county jail, or by both such fine and imprisonment; and all justices of the peace in said Lemhi county shall have jurisdiction of such offenses.

SEC. 6. All quartz-claims located in Lemhi county subsequent to the tenth day of May, 1872, in accordance with the mineral laws of the United States, are hereby exempted from the provisions of all the laws regulating the discovery, location, and representation of quartz-claims in this territory.

SEC. 7. An act entitled "An act relating to the discovery of gold and silver quartz-lodes, and the manner of their location", approved January 12th, 1866, so far as its provisions apply to Lemhi county, be, and the same is hereby, repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

NOTE.—This act was repealed by "An act relating to the location and recording of mining-claims", approved February 10, 1881 (Gen. Laws, 1880–'81, p. 262).

AN ACT to amend an act entitled "An act relating to the discovery of gold and silver quartz-lodes in Lemhi county, and the manner of their location". (Sess. Laws, 1879, p. 59.)

SECTION 1. That an act entitled "An act relating to the discovery of gold and silver quartz-lodes in Lemhi county, and the manner of their location", approved January 9th, 1877, be, and the same is hereby, amended:

"SEC. 2. Lines 8, 9, 10, and 11 to read as follows: That the recorder shall be entitled to receive the sum of three dollars for each and every claim so recorded".

SEC. 2. This act shall take effect and be in force from and after its passage.

NOTE.—This act was repealed by "An act relating to the location and recording of mining-claims", approved February 10, 1881. (Gen. Laws, 1880-'81, p. 262).

AN ACT to repeal an act relating to quartz-claims in the first judicial district, etc. (Approved February 17, 1879; Sess. Laws, 1879, p. 48.)

SECTION 1. That an act entitled "An act relative to quartz-claims in the first judicial district of this territory, embracing the counties of Idaho, Nez Percé, Shoshone, Lahtoh, and Kootenai", approved January 12th, 1866, be, and the same is hereby, repealed.

SEC. 2. This act to take effect and be in force from and after its passage.

AN ACT to repeal the second section of an act entitled "An act relating to the discovery of gold and silver quartz-lodes, and of the manner of their location", approved January 12, 1866. (Approved February 21, 1879; Sess. Laws, 1879, p. 29.)

SECTION 1. That the second section of an act entitled "An act relating to the discovery of gold and silver quartz-lodes, and of the manner of their location", approved January 12th, 1866, be, and the same is hereby, repealed.

SEC. 2. That all locations hereafter made shall be made in conformity with, and pursuant to, the provisions of the act of Congress of May 10th, 1872: *Provided*, That all locations made prior to the passage of this act, in accordance with the act of Congress of May 10th, 1872, are hereby legalized and confirmed: *Provided further*, That nothing in this act shall be so construed as to invalidate the vested rights of discoverers and locators.

SEC. 3. This act to take effect and be in force from after its passage.

NOTE.—This act was repealed by "An act relating to the location and recording of mining-claims", approved February 10, 1881 (Gen. Laws, 1880-'81, p. 262).

GENERAL LAWS OF 1880-1881: CODE OF CIVIL PROCEDURE.

AN ACT to establish a code of civil procedure for Idaho territory, p 1.

PRELIMINARY PROVISIONS.

SECTION 1. This act takes effect at twelve o'clock, noon, on the twenty-first day of May, eighteen hundred and eighty-one, and shall be known, and may be cited, as the Code of Civil Procedure.

SEC. 2. No part of it is retroactive, unless expressly so declared.

SEC. 3. The rule of the common law that statutes in derogation thereof are to be strictly construed has no application to this code. The code establishes the law of this territory respecting the subjects to which it relates, and its provisions and all proceedings under it are to be liberally construed, with a view to effect its objects and to promote justice.

SEC. 4. The provisions of this code, so far as they are substantially the same as existing statutes, must be construed as continuations thereof, and not as new enactments.

* * * * * * * * *

SEC. 440. The following property is exempt from execution, except as herein otherwise specially provided:

* * *

5. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlass, derrick, cars, pumps, and tools, not exceeding in value two hundred dollars.

CHAP. XLVIII.—ENFORCEMENT OF LIENS.

Sec.
815. Liens of mechanics and others.
816. Subcontractors and others.
* * * * *
819. Effect of liens.
820. Claim of lien.
Sec.
821. Liens upon two or more pieces of property, each to be designated.
822. Claim to be recorded.
823. Time of continuance.
824. Subcontractors.

[The residue of above chapter relates to matters other than mines, and to the enforcement of liens, and is not essential to the purpose of this quotation, viz, the existence of the lien.]

SECTION 815. Every person performing labor upon, or furnishing materials to be used in, the construction, alteration, or repair of any mining-claim, building, wharf, bridge, ditch, flume, tunnel, fence, machinery, railroad,

wagon-road, aqueduct to create hydraulic power, or any other structure, or who performs labor in any mining-claim, has a lien upon the same for the work or labor done or materials furnished by each respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent, but the aggregate amount of such liens must not exceed the amount which the owner would be otherwise liable to pay.

SEC. 816. Any subcontractor, material-man, laborer, or other person, performing labor or furnishing materials for a contractor, who is entitled to a lien under the provisions of the last section may, at any time, serve upon the owner, or his agent, or the person employing the contractor, written notice of the amount due him for such labor or materials, and such subcontractor, material-man, laborer, or other person may have a lien for such amount, but not exceeding the amount, then or thereafter due such contractor from such owner or person employing him under the contract. And any person furnishing materials or performing labor for a subcontractor may, by like notice to the contractor, be subrogated to the rights of such subcontractor.

* * * * * * * * *

SEC. 819. The liens provided for in this chapter are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also, to any lien, mortgage, or other incumbrance of which the lienholder had no notice, and which was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

SEC. 820. Every original contractor, within sixty days after the completion of his contract, and every person, save the original contractor, claiming the benefit of this chapter, must, within thirty days after the completion of any building, improvement, or structure, or after the completion of the alteration or repair thereof, or the performance of any labor in a mining-claim, file for record with the county recorder of the county in which such property, or some part thereof, is situated, a claim containing a statement of his demand after deducting all just credits and offsets, with the name of the owner or reputed owner, if known, and also the name of the person by whom he was employed, or to whom he furnished the material, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien, sufficient for identification, which claim must be verified by the oath of himself or some other person.

SEC. 821. In every case in which one claim is filed against two or more buildings, mining-claims, or other improvements owned by the same person, the person filing such claim must at the same time designate the amount due to him on each of such buildings, mining-claims, or other improvements; otherwise the lien of such claim is postponed to other liens. The lien of such claimant does not extend beyond the amount designated as against other creditors having liens by judgment, mortgage, or otherwise upon either of such buildings or other improvements, or upon the land upon which the same are situated.

SEC. 822. The recorder must record the claim in a book kept by him for that purpose, which record must be indexed as deeds and other conveyances are required by law to be indexed, and for which he may receive the same fees as are allowed by law for recording deeds and other instruments.

SEC. 823. No lien provided for in this chapter binds any building, mining-claim, improvement, or structure for a longer period than ninety days after the same has been filed, unless proceedings be commenced in a proper court within that time to enforce the same; or, if a credit be given, then ninety days after the expiration of such credit; but no lien continues in force for a longer time than two years from the time the work is completed by any agreement to give credit.

SEC. 824. All persons entitled to liens on the structure or improvement, except those who contracted with the owner thereof, are subcontractors, and the court in the judgment must direct the amount due subcontractors to be paid out of the proceeds of sales before any part of such proceeds are paid to the contractor.

CHAP. XXXIII.—ACTIONS TO DETERMINE CONFLICTING CLAIMS TO REAL PROPERTY, AND OTHER PROVISIONS RELATING TO ACTIONS CONCERNING REAL ESTATE.

* * * * * * * * *

SECTION 486. In actions respecting mining-claims, proof must be admitted of the customs, usages, or regulations established and in force at the bar or diggings embracing such claim; and such customs, usages, or regulations, when not in conflict with the laws of this territory, must govern the decision of the action.

CHAP. L.—VOLUNTARY DISSOLUTION OF CORPORATIONS.

Sec.
844. How dissolved.
845. Application, what to contain.
846. Application, how signed and verified.
847. Filing application and publication of notice.
848. Objections may be filed.
849. Hearing of application.
850. Judgment roll and appeals.

SECTION 844. A corporation may be dissolved by the district court of the county where its office or principal place of business is situated, upon its voluntary application for that purpose.

SEC. 845. The application must be in writing, and must set forth:

1. That at a meeting of the stockholders or members, called for that purpose, the dissolution of the corporation was resolved upon by a two-thirds vote of all the stockholders or members.

2. That all claims and demands against the corporation have been satisfied and discharged.

SEC. 846. The application must be signed by a majority of the board of trustees, directors, or other officers having the management of the affairs of the corporation, and must be verified in the same manner as a complaint in a civil action.

SEC. 847. If the judge is satisfied that the application is in conformity with this chapter, he must order it to be filed with the clerk, and that the clerk give not less than thirty days' notice of the application, by publication in some newspaper published in the county, and if there are none such, then by advertisements posted up in three of the principal public places in the county.

SEC. 848. At any time before the expiration of the time of publication any person may file his objections to the application.

SEC. 849. After the time of publication has expired, the court may, upon five days' notice to the persons who have filed objections, or without further notice if no objections have been filed, proceed to hear and determine the application; and if all the statements herein made are shown to be true, he must declare the corporation dissolved.

SEC. 850. The application, notices, and proof of publication, objections (if any), and declaration of dissolution constitute the judgment roll, and from the judgment an appeal may be taken as from judgments of the county courts.

CHAP X.—OF THE TIME OF COMMENCING CIVIL ACTIONS.

* * * * * * * * *

SECTION 143. No action for the recovery of real property, or for the recovery of the possession thereof, can be maintained, unless it appear that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the property in question within five years before the commencement of the action; and this section includes possessory rights to lands and mining-claims.

* * * * * * * * *

SEC. 146. In every action for the recovery of real property, or the possession thereof, the person establishing a legal title to the property is presumed to have been possessed thereof within the time required by law, and the occupation of the property by any other person is deemed to have been under and in subordination to the legal title, unless it appear that the property has been held and possessed adversely to such legal title for five years before the commencement of the action.

AN ACT relating to the location and recording of mining-claims. (Approved February 10, 1881; Gen. Laws, 1880–'81, p. 262.)

SECTION 1. The mining-claims hereafter located, upon veins or lodes of quartz or other rock in place bearing any of the precious or other metals mentioned in section 2320 of the Revised Statutes of the United States, may extend to three hundred (300) feet on each side of the middle of the vein or lode: *Provided*, That when the locators have set the stakes, posts, or monuments described in the next section, to indicate the line of the vein, ledge, or lode, such stakes, posts, or monuments shall be taken, for the purposes of said location, to mark correctly the line thereof, and such line shall not be afterwards changed so as to affect the rights acquired or interfere with any locations made subsequently thereto.

SEC. 2. The locators of any mining-claim shall, at the time of making the location, place a substantial stake or post, not less than four (4) inches square or in diameter, at each end of the ground claimed, and as near as practicable along the course or line of the vein or ledge, and also a similar stake or post at each corner of the location. Such stakes or posts shall be at least four (4) feet high above the surface, and shall each be marked distinctly with the name of the claim. The notice of location hereinafter mentioned shall be conspicuously attached to one of said center end-posts, so that the same may be easily read; or it shall be conspicuously posted in like manner at the point of discovery and prospecting work on the claim. Where stakes or posts cannot be conveniently had, well-built monuments of stone, of the like height above the surface, will answer the purpose of stakes or posts, but the notice must be so placed on the side of such monument as to be readily seen.

SEC. 3. The notice shall contain the date of the location, the names of the locators, the name of the claim, ledge, or lode, the quantity in feet claimed along the ledge or lode, the width claimed from the middle of the vein, and shall also give such a description of the locality of the claim, by reference to natural land-marks or fixed objects and contiguous claims, if there be any, as to render the situation of the same reasonably certain from the letter of the notice itself.

SEC. 4. Every claim shall be recorded, within fifteen (15) days from the time of the posting of the notice, in the district in which the same is situated or at the nearest office to the claim. For the convenience of prospectors and locators the county recorders of the several counties shall appoint a deputy at any place where he may deem it

necessary, and at all places more than ten (10) miles distant from an existing office, whenever ten or more mining locators interested shall petition for the appointment of such deputy. Upon the failure of any recorder to make the appointment of a deputy for ten days after a petition in writing shall have been presented to him, the resident miners at such district may appoint temporarily one of their number to act as recorder of the district, whose records shall be as valid as if made by a deputy, and whose records shall be entered by the recorder as hereinafter required: *Provided*, That whenever at any time afterwards the recorder shall appoint a deputy for such district or place, the authority of the person elected by the resident miners shall cease.

SEC. 5. At the time of presenting a notice of location for record, or within five (5) days thereafter, one of the locators named in the same shall appear before the deputy and make and subscribe an affidavit in writing, on or attached to the notice to be administered by said deputy, substantially in the following form, to wit:

TERRITORY OF IDAHO,
County of ———, *ss:*

I, ——— ———, do solemnly swear that I am acquainted with the mining ground described in the notice of location herewith, called the ——— ledge, lode, or claim, and that the ground and claim therein described, or any part thereof, has not, to the best of my knowledge and belief, been heretofore located according to the laws of the United States and of this territory; or, if so located, that the same has been abandoned or forfeited by reason of the failure of such former locators to comply, in respect thereto, with the requirements of said laws.

Subscribed and sworn to before me, this —— day of ———, A. D. 18—.

A. B., —.

SEC. 6. The notice herein required to be recorded is a copy of the notice placed upon the claim, or substantially a copy of the same. It shall be recorded by the deputy appointed for the district, or the person elected for that purpose, as above provided (when the legal fee therefor shall be tendered), in a book to be kept for that purpose. Said book shall be indexed, with the names of all locators arranged in alphabetical order, according to the first letter of the family or surname of each. The fee to be tendered for making such record, administering the oath to the locator, and certifying the same, for indexing the names appearing upon the notice, and to include the recording of the notice by the recorder, as hereinafter required, and the indexing by said recorder shall be three ($3) dollars, which fee shall be equally divided between the recorder and the deputy, or person acting under an election as hereinabove provided, and no other or additional sum of money shall be demanded or received by either or any of them for any services connected with the recording of any notice of location made pursuant to the requirements of this act.

SEC. 7. The deputy recorder of mining-claims of each district, or the person elected, as hereinabove provided, to make the record in case of the failure of the recorder to appoint a deputy, shall, at least once in each month, transmit to the recorder, at the county-seat, all the notices of location filed with him for record and not previously transmitted, which shall at once be recorded by said recorder in a book to be kept in his office, and be known as the book of mining-claims. The names of all persons appearing in every notice of location shall be indexed by the recorder, said names being arranged in said index in alphabetical order according to the first letter of the surname of said locators.

SEC. 8. The deputy recorders provided for in this act shall not, by virtue of the provisions hereof, be authorized to perform any other than the special duties herein specified. They shall keep an official seal, and the records in their custody shall be public records, but the seal of a deputy recorder shall not be attached to any paper except for the purpose of authenticating certificates attached to transcripts of the records in his custody as deputy recorder.

SEC. 9. Any person who shall willfully and maliciously tear or take down or destroy any notice posted on any claim, or remove or take down any stake, post, or monument placed or erected for the purpose of marking or indicating any mining-claim or the line of the vein, ledge, or lode, with the intent to destroy or impair the evidence of such location, shall be deemed guilty of a misdemeanor, and on conviction thereof, before any justice of the peace of the county, may be punished by fine in any sum not exceeding one hundred ($100) dollars, or imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 10. An act relating to the discovery of gold and silver quartz-lodes, and the manner of their location, approved January 12, 1866; an act supplemental to and amendatory of said act, approved January 4, 1877; an act relating to the recording of quartz-claims in Owyhee and Alturas counties, and fixing the fees thereof, approved January 15, 1875; an act relating to the discovery of gold and silver quartz-lodes in Lemhi county, and the manner of their location, approved January 9, 1877; an act relating to the discovery of gold and silver quartz-lodes in Lemhi county, and the manner of their location, approved February 21, 1879, and all other acts and parts of acts in conflict or inconsistent with the provisions of this act, are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after the passage thereof.

AN ACT to amend an act entitled "An act concerning rights of way, easements, and other necessary means for the development of mines", approved January 12th, 1877. (Approved January 7, 1881; Gen. Laws, 1880–'81, p. 266.)

SECTION 1. Section two of the act concerning rights of way, easements, and other necessary means for the development of mines, approved January 12th, 1877, is amended to read as follows:

"SEC. 2. Whenever any mine or mining-claim shall be so situated that, for the more convenient enjoyment of the same, a road, railroad, or tramway therefrom, or a ditch or canal to convey water thereto, or a ditch, flume, cut, or tunnel to drain or convey the water or tailings therefrom, or a tunnel or shaft may be necessary for the better working thereof, which road, railroad, tramway, ditch, canal, flume, cut, shaft, or tunnel may require the use or occupancy of lands or mining ground owned, occupied, or possessed by others than the person or persons or body corporate requiring an easement for any of the purposes described, then shall the owners of the mine or mining-claim first above mentioned be entitled to a right of way, entry, and possession for all the uses and privileges for such road, railroad, tramway, ditch, canal, flume, cut, shaft, or tunnel in, upon, through, and across such other lands or mining-claims, upon compliance with the provisions of this act".

SEC. 2. This act shall take effect from and after its passage.

AN ACT to regulate the right to the use of water for mining, agricultural, manufacturing, and other purposes. (Approved February 10 1881; Gen. Laws, 1880–'81, p. 267.)

RIGHT TO USE OF WATER.

SECTION 1. The right to the use of water flowing in a river, creek, cañon, ravine, or other stream may be acquired by appropriation, and as between appropriations priority in time shall, subject to the provisions of this act, secure the priority of right.

SEC. 2. The appropriation must be in good faith for some useful and beneficial purpose, and when once perfected may be converted or changed to any other beneficial use than that originally designated or for which it may have been employed.

SEC. 3. The appropriator, or his or their successors in interest, may change the place of diversion, if the rights acquired by others are not thereby interfered with and no injury to others therefrom results, and may also extend any ditch, canal, flume, pipe, or other conduit to points or places beyond such as may have been designated or first used, saving the rights which may have accrued prior to such extension.

SEC. 4. A person, company, or corporation desiring to appropriate water must post a notice in writing in as conspicuous a place as possible at the point of intended diversion, stating therein: First, the quantity of water which is intended to be claimed and diverted, giving the number of inches, measured under a four-inch pressure, and accurately describing the point of its diversion. Second, the purpose for which the same is claimed and intended to be used, and the point or place of such intended use. Third, the means which are designed to be employed for diverting and conducting such waters, and the size or dimensions of the ditch, canal, pipe, flume, or other conduit therefor. A copy of the notice must, within the time allowed in case of a mining-claim, be furnished for record to the officer of the county or district whose duty it may be to make record of mining-claims; which said officer shall be entitled to the same fees for recording such notice as may be fixed by law for recording notice of a mining-claim: *Provided*, That when the notice of such claim to water is accompanied by a descriptive survey of the proposed work, or by a map of the same, such officer shall be entitled to the same fees as shall be fixed by law for recording deeds of conveyance.

SEC. 5. Within sixty days after the notice is posted, the claimant, or his or their successors in interest, must commence the making, digging, or constructing of the ditch, canal, flume, or other conduit by means of which it is intended to divert and conduct the waters claimed; and the work for the complete diversion and conducting of said waters shall be prosecuted diligently and without unnecessary interruption: *Provided*, That when such work cannot be carried on by reason of unavoidable natural causes, such as the state of the weather or the action of the elements, the same shall be resumed as soon as practicable after such causes of delay are removed.

SEC. 6. By "complete diversion", as used in the last section, is meant the conducting of the waters claimed to the place of intended use as described in the notice, or to such other place as may have been adopted, and an actual beneficial use thereof made.

SEC. 7. By a compliance with the above conditions and requirements the appropriation is perfected, and the right to the use of the waters claimed, which the ditch, canal, flume, or other conduit is capable of conducting, is hereby declared to relate back to the time of the posting of notice of claim: *Provided*, That nothing in this section contained shall be so construed as to render any person or party liable to damages or to make compensation to any appropriator for any waters used prior to the time of a "complete diversion" thereof, as defined in the last preceding section.

SEC. 8. All ditches, canals, and other works heretofore made, constructed, or provided, and by means of which the waters of any stream have been diverted and applied to any beneficial use, shall be taken to have secured the right to the waters claimed to the extent of the quantity which said works are capable of conducting, and not exceeding the quantity claimed, without regard to, or compliance with, the requirements of this act.

SEC. 9. In case where any person, company, or corporation have heretofore made claim to divert the waters of any stream, and the same has not been forfeited or abandoned, and have not cut, excavated, made, or constructed the necessary ditch, canal, flume, or other conduit to carry such waters and apply the same to a beneficial use, such claimant must, within four months from and after the date of the approval of this act, commence work in pursuance of the requirements hereof, and carry the same to completion, or at the expiration of the said time, or upon failure to prosecute the work in the manner herein required, such claim shall cease to be of any validity as the foundation of a right to the waters of any such stream.

SEC. 10. All persons, companies, and corporations owning or claiming any lands situated on the banks or in the vicinity of any stream shall be entitled to the use of the waters of such stream for the purpose of irrigating the land so held or claimed.

SEC. 11. When any such owners or claimants to land have not sufficient length of frontage on a stream to afford the requisite fall for a ditch, canal, or other conduit on his own premises for the proper irrigation thereof, or where the land proposed to be irrigated is back from the banks of such stream, and convenient facilities otherwise for the watering of said lands cannot be had, such owners or claimants shall be entitled to a right of way through the lands of others for the purposes of irrigation: *Provided*, That in the making, constructing, keeping up, and maintenance of such ditch, canal, or conduit through the lands of others, the person, company, or corporation proceeding under this section, and those succeeding to the interests of such person, company, or corporation, shall keep such ditch, canal, or other conduit in good repair, and shall also be liable to the owners or claimants of the lands crossed by such work or aqueduct for all damages which may be occasioned by the overflow thereof or result from any neglect or accident (unless the same be unavoidable) to such ditch or aqueduct.

SEC. 12. In case of the refusal of the owners or claimants of any lands through which such ditch, canal, or other works are proposed to be made or constructed to allow the passage thereof, the persons, company, or corporation desiring the right of way may present to the county commissioners of the county a petition describing the lands to be crossed, the size of the ditch, canal, or works, the quantity of land required to be taken, and setting forth the names of the owners or parties interested in the lands to be crossed, and praying for the appointment of three appraisers to ascertain the compensation to be made to such owners or parties interested. Upon the filing of said petition the county commissioners shall give notice, by publication in a newspaper, if there be any printed in the county, or, if there be none, by posting such notice in three of the most public places in the county, one of which shall be at the county-seat, that, at a time and place specified in said notice, said petition will be heard and such appraisers appointed, unless good cause be shown by the parties adversely interested why the said petition should be denied. Said notice shall be published or posted for not less than thirty days prior to the hearing thereon, and the expenses of the publication or posting of the same shall be defrayed by the petitioners.

SEC. 13. The said appraisers shall, before entering on the duties of their office, take an oath to faithfully and impartially perform the duties as such appraisers and make a true and just award of the amount of the compensation to be paid for the right of way over and use of the lands to be crossed by such ditch, canal, or other conduit. They shall hear the allegations and proofs offered by the respective parties, and, after viewing the lands and premises, shall ascertain and certify the compensation which, in their judgment, it is just and proper to make to the parties owning or interested in the lands to be crossed for the use of the same, and for damages, if any, on account of injury to other portions of the tract of land of any owner or interested party, after making allowance and deduction for real and direct benefits which such owner or party interested will derive from the making of such ditch, canal, or other works. The appraisers, or a majority of them, shall subscribe such certificate, and the same shall be recorded in the office of the county recorder, and upon the payment of the compensation and damages, if any, or the tender thereof to the proper parties, or in the absence of such parties from the county, then upon deposit of the amount in the county treasury to the credit of the said party, the persons, company, or corporations petitioners shall have the right of entry upon and of way for the proposed ditch, canal, or other works.

SEC. 14. All persons, companies, and corporations owning or having the possessory title or right to lands adjacent to any stream shall have the right to place in the channel of, or upon banks or margin of the same, rams or other machines for the purpose of raising the waters thereof to a level above the banks requisite for the flow thereof to and upon such adjacent lands; and the right of way over and across the lands of others for conducting said waters may be acquired in the manner prescribed in the last two sections.

SEC. 15. Where the owners of any spring, or the appropriators thereof, or of any stream, may desire to conduct the waters thereof to any lands for purposes of irrigation, or to any city or town for the use of the inhabitants thereof, or to any factory, or to any distant place, with the intent to apply the same to a beneficial use, and to accomplish such object it may be necessary to cross with ditches, flumes, or other conduit the lands owned or occupied by others than the owners or appropriators of such spring or stream, the right of way over and across the lands of others for conducting said water may be acquired in the manner prescribed in sections 12 and 13 of this act.

SEC. 16. The owners or constructors of ditches, canals, works, or other aqueducts, and their successors in interest, using and employing the same to convey the waters of any stream or spring, whether the said ditches, canals, works, or aqueducts be upon the lands owned or claimed by them or upon other lands, shall carefully keep and

maintain the same, and the embankments, flumes, or other conduit by which such waters are or may be conducted, in good repair and condition, so as not to damage or in any way injure the property or premises of others.

SEC. 17. Nothing in this act contained shall be so construed as to interfere with or impair the rights to water appropriated and acquired prior to the passage of this act; but this reservation in behalf of existing rights shall not exempt such appropriators from liability as provided in the last section.

SEC. 18. In case the volume of water in any stream shall not be sufficient to supply continually the wants for irrigating purposes of the owners or proprietors of land in any district or neighborhood in which customs exist for distributing the waters amongst such owners or proprietors, under the direction or supervision of persons recognized by the community interested to have authority therein, the waters diverted shall, in such case, be held to be a common right in those accustomed to a participation in the use and enjoyment of such distribution, and such customs shall be upheld in all courts as conferring such common right in the same: *Provided*. This section shall not be construed to affect any prior vested rights.

SEC. 19. In case any person, company, or corporation shall have constructed a ditch for the purpose of directing the water of any river, creek, cañon, ravine, or spring, for the purpose of selling the water thereof for irrigating purposes, the owners or cultivators of land along the line of and covered by said ditch or canal shall be entitled to, and have the right to, the use of water from said ditch or canal for the purpose of irrigating said land so owned or cultivated in the following order: First, all persons through whose land said ditch or canal runs shall be entitled to the use of the water thereof in the order of their location along the line of said ditch or canal. Second, after those through whose land the ditch or canal runs, those upon either side of the line of the ditch or canal shall be entitled to the use of the water thereof; those equally distant from the line of said ditch or canal shall be entitled to priority in the order of their location along the line of said ditch or canal: *Provided always*, That the owners or cultivators of such lands shall pay the usual and customary rates for the use of said water. And whenever any ditch or canal has been constructed for the purpose of conveying water and selling the same for irrigating purposes, it shall be unlawful for the owner or owners of said ditch or canal to change the line of said ditch or canal so as to prevent or interfere with the use of water from said ditch or canal by any one who, prior to the proposed change, had used water for irrigating purposes from said ditch or canal. And it is hereby made the duty of the owner or owners of any such ditch or canal to keep the same in good repair, and to cause the water to flow through said ditch or canal to the extent of its capacity, provided so much may be needed, during the entire time that water may be necessary for irrigating purposes: *And provided further*, That the river, creek, cañon, ravine, or spring from which the water is taken furnishes an amount of water sufficient for such purpose, subject to the appropriation of the owner or owners of such ditch or canal. For a failure to cause the water to flow as aforesaid the owner or owners or lessees of any such ditch shall be personally liable to any one for any damage resulting from such failure, and in addition to such personal liability, such damages shall be a lien upon such ditch or canal, which lien shall continue in force until such damages are paid. No person entitled to the use of water from any such ditch or canal shall, under any circumstances, use more water than good husbandry shall require for the crop or crops that he shall cultivate, and any person using an excess of water shall be liable to the owner or owners of such ditch or canal for the value of such excess; and in addition thereto shall be liable to all damages sustained by any other person who would have been entitled to the use of such excess of water, as fixed by this section.

SEC. 20. This act shall take effect and be in force from and after its passage.

MONTANA.

REVISED STATUTES TO FEBRUARY 21, 1879.

CHAP. XLV.—ART. I.—QUARTZ-LODES.

Sec.
873. Discoverer to record declaratory statement.
874. What to entitle party to record.
875. Extent of location.
876. Extent of lodes discovered and recorded prior to passage.
877. Penalty for removing stakes or destroying notice.

SECTION 873. Any person or persons who shall hereafter discover any mining-claim, upon any vein or lode bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, shall within twenty days thereafter make and file for record in the office of the recorder of the county in which said discovery is made a declaratory statement thereof, in writing, on oath, before some person authorized by law to administer oaths, describing such claim in the manner provided by the laws of the United States.

SEC. 874. That in order to entitle any person or persons to record in the county recorder's office of the proper county any lead, lode, or ledge, there shall first be discovered on said lode, lead, or ledge a vein or crevice of quartz or ore with at least one well-defined wall.

SEC. 875. Claims on any lead, lode, or ledge bearing gold, silver, cinnabar, lead, tin, copper, or other valuable

deposits, hereafter discovered, shall consist of not more than fifteen hundred linear feet along the lead, lode, or ledge, and not more than three hundred feet and not less than twenty-five feet on each side from the center of said lead, lode, or ledge, for working purposes: *Provided*, That the provisions of this article shall not be so construed as to include claims recorded prior to the passage of this article.

SEC. 876. All lode-claims heretofore discovered and recorded pursuant to the law, and the possessory title to which shall have been preserved according to law, shall entitle the owner or owners thereof to surface-ground along the course of the vein three hundred feet on each side from the center of said vein: *Provided*, That such width shall not be permitted to interfere with any vested or possessory rights of any person or persons, corporation or corporations, which have intervened and have been preserved to the time of the taking effect of this article, but parties desiring to avail themselves hereof shall so signify by a record which shall show that they so elect, or if they so desire, they may limit the surface-ground on each side of the center of the vein to any width not less than twenty-five feet.

SEC. 877. Any person who shall remove any stake or monument placed on any mining-claim, or who shall obliterate, deface, or destroy any notice placed thereon, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

NOTE.—Act February 11, 1876 (Sess. Laws, 1876, p. 127).

ART. II.—*Mining tunnels.*

Sec.
878. Location of tunnel to be recorded.
879. Persons pre-empting tunnel to have 300 feet on each side.
880. Right of way through other claims.
881. To run one hundred feet on tunnel within one year.
882. Pre-emptor's right for ore-yard.

SECTION 878. That if any person or persons shall locate a tunnel-claim for the purpose of discovery and mining, he or she shall record the same, specifying the place of commencement and the course thereof, with the names of the parties interested therein.

SEC. 879. That any person or persons so pre-empting any tunnel shall have the exclusive right to three hundred feet on each side from the center of said tunnel on any and all lodes that he or they may discover in the course of said tunnel: *Provided*, That none of said lodes, leads, or ledges were discovered and recorded previous to the pre-emption of said tunnel, in accordance with an act passed by the legislative assembly of the territory of Montana, entitled "An act relating to the discovery of gold and silver quartz leads, lodes, or ledges, and the manner of their location".

SEC. 880. That any person or persons who may work any tunnel or tunnels shall have the right of way through any and all lodes, leads, or ledges that may lie in the course of any of said tunnels: *Provided*, That all quartz, ore, or mineral taken from said tunnel from leads, lodes, or ledges belonging to parties other than the said tunnel company, shall be deposited on the surface by said tunnel company and belong to the original occupants or owners of said lead, lode, or ledge.

SEC. 881. That in order to hold any tunnel-claims to the use of themselves, their heirs, and assigns they shall, before the expiration of one year from the date of pre-emption, run to the distance or depth of one hundred feet on said tunnel.

SEC. 882. That any person or persons who shall pre-empt any tunnel-claim shall be entitled to three hundred feet on each side of the mouth of said tunnel for the purpose of a quartz or ore yard.

NOTE.—Act January 12, 1872 (Cod. Stats., 1871-'72, p. 524).

ART. III.—*Mining-district records.*

Sec.
883. All mining-district records to become county records on being deposited in recorder's office.
884. Duty of district recorder to deposit records in county recorder's office.
885. Penalty for refusal of county recorder to receive records.

SECTON 883. That all mining-district records of all lead, lode, ledge, ranch, water, or mill claims that are now or shall be deposited, within the next ninety days hereafter succeeding the passage of this article, in their respective county recorder's office, shall become a part and parcel of said county records, and shall be evidence in any court or courts of competent jurisdiction, and have the same force and effect as if such records had been recorded in the county recorder's office when first filed with the mining-district records.

SEC. 884. That it shall be the duty of all mining-district recorders to file any and all records pertaining to all lead, lode, ledge, ranch, water, and mill claims in their respective county recorder's office, and upon failure to do

so they shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined in a sum not to exceed one thousand dollars, or imprisoned in the county jail not to exceed one year, or both such fine and imprisonment, and shall be subject to a suit in a civil action for damages.

SEC. 885. That it shall be the duty of the county recorder, when any such district records are tendered him, to receive the same and place them on file in his office, for which he shall receive a fee of fifty cents, to be paid by the district recorder: and upon his refusal to receive said district records he shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined in a sum not to exceed one thousand dollars, or imprisoned in the county jail not to exceed one year, or both such fine and imprisonment, and shall be subject to a suit in a civil action for damages.

NOTE.—Act January 12, 1872 (Cod. Stats., 1871–'72, p. 525).

ART. IV.—*Rights of way for the development of mines.*

Sec.
886. Right of way over and across the lands of others.
887. For convenience of working, owner of mining-claim to have right of way for ditch, tunnel, etc.
888. Petition to judge for right of way.
889. Citation to require appearance of parties.
890. Hearing of petition and order awarding right of way; appointment of commissioners to assess damages.
891. Commissioners to examine and report.
892. Report may be set aside and other commissioners appointed.
893. Upon payment of damages awarded, petitioners entitled to right of way.
894. Appeals from assessment of damages.
895. Trial of appeal.
896. Rights of appellee upon giving bond.
897. When appellee to pay costs.
898. Costs on appeal; tender of payment of damages.

Whereas the Congress of the United States, by an act approved July 26, 1866, and an act amendatory thereto, approved July 9, 1870, has provided that the local legislatures of the several states and territories may provide rules for working mines, involving easements, drainage, and other necessary means to complete development of mines upon which patents shall be granted by the United States, in the absence of necessary legislation by Congress; and whereas there has been no legislation by Congress upon this subject: Therefore,

Be it enacted by the legislative assembly of the territory of Montana, SECTION 886. The proprietor, owner, or owners of mining-claims, whether patented under the laws of the United States or held under the local laws and customs of this territory, shall have a right of way for ingress and egress, for the necessary purposes, over and across the lands or mining-claims (patented or otherwise) of others, as hereinafter prescribed.

SEC. 887. Whenever any such mine or mining-claim shall be so situated that it cannot be conveniently worked without a road thereto, or a ditch to convey the water thereto, or a ditch or a cut to convey the water therefrom, or without a flume to carry water and tailings therefrom, or without a shaft or a tunnel thereto, which road, ditch, cut, flume, shaft, or tunnel shall necessarily pass over, under, through, or across any lands or mining-claim owned or occupied by others, either under a patent from the United States or otherwise, then shall such first-mentioned owner or owners be entitled to a right of way for such road, ditch, cut, flume, shaft, or tunnel over, under, through, and across such other lands or mining-claims, upon compliance with the provisions of this article.

SEC. 888. Whenever the owner or owners of any mine or mining-claim shall desire to work the same, and it is necessary, to enable him or them to do so successfully and conveniently, that he or they shall have a right of way for any of the purposes mentioned in the foregoing sections, and if such right of way shall not have been acquired by agreement between him or them, and the claimants or owners of the land or claims over, under, across, and upon which he or they seek to establish such right of way, it shall be lawful for him or them to present to the judge of the district court of the territory of Montana within and for the county in which such right of way, or some part thereof, sought to be enforced is situated, or to which such county is attached for judicial purposes, a petition praying that such right of way be awarded to him or them. Such petition shall be verified, and contain a particular description of the character and extent of the right sought, a description of the mine or claim of the petitioner, and the claim or claims and the lands to be affected by such right or privilege, with the names of the occupants or owners thereof. It may also set forth any tender or offer hereinafter mentioned, and shall demand the relief sought.

SEC. 889. Upon the receipt of such petition and filing thereof with the clerk of such court, the judge shall direct a citation to issue, under the seal of such court, to the owners named in the petition of mining-claims and lands to be affected by the proceedings, requiring them, and each of them, to appear before the judge on a day therein named, which shall not be less than ten days from the service thereof, and show cause why such right of way should not be allowed as prayed for; such citation shall be served on each of the parties in the manner prescribed by law for serving summons in ordinary proceedings at law.

SEC. 890. Upon the return day of the citation, or upon any day to which the hearing shall be adjourned, the

judge shall proceed to hear the allegations and proofs of the respective parties, and if upon such hearing he is satisfied that the claims of the petitioner can only be conveniently worked by means of the privilege prayed for, he shall make an order adjudging and awarding to the petitioner such right of way, and shall appoint three commissioners, who shall be disinterested parties and residents of the county, to assess the damages resulting to the lands or claims affected by such order.

SEC. 891. The commissioners so appointed shall be sworn or affirmed to faithfully and impartially discharge their duties, and shall proceed without unreasonable delay to examine the premises, and shall assess the damages resulting from such right or privilege prayed for, and report the amount of the same to the judge appointing them; and if such right of way shall affect the property of more than one person or company, such report shall contain an assessment of damages to each company or person.

SEC. 892. For good cause shown, the judge may set aside the report of such commissioners, and appoint three other commissioners, whose duties shall be the same as above mentioned.

SEC. 893. Upon the payment of the sum assessed as damages, as aforesaid, to the persons to whom it shall be awarded, or a tender thereof to them, then the person or persons petitioning, as aforesaid, shall be entitled to the right of way as prayed for in their or his petition, and may immediately proceed to occupy the same, and to erect thereon such works and structures, and make therein such excavations, as may be necessary to the use and enjoyment of the right of way so awarded.

SEC. 894. Appeals from the assessment of damages made by the commissioners may be made and prosecuted in the proper district court by any party interested, at any time within ten days after the filing of the report of the commissioners, and a written notice of such appeal shall be served upon the appellee in the same manner as summonses are served in civil actions. The appellant shall file with the clerk of the court to which the appeal is made a bond, with sureties to be approved by the clerk, in the amount of the assessment appealed from, in favor of the appellee, conditioned that the appellant shall pay any costs that may be awarded to the appellee and abide any judgment that may be rendered in the cause.

SEC. 895. Appeals shall bring before the appellate court only the propriety of the amount of damages, and may be tried by the court or before a jury as other cases in the court.

SEC. 896. The prosecution of any appeal shall not hinder, delay, or prevent the appellee from exercising all the rights and privileges mentioned in section 893 of this article: *Provided*, That the appellee shall file with the clerk of the court in which the appeal is pending a bond, with sufficient sureties to be approved by the clerk, in double the amount of the assessment appealed from, conditioned that the appellee shall pay to the appellant whatever amount he may recover in the action.

SEC. 897. If the appellant recover fifty dollars more damages than the commissioners shall have awarded, or the appellee shall offer to allow judgment against him to be taken, the appellee shall pay the costs of the appeal; otherwise the appellant shall pay such costs.

SEC. 898. The costs and expenses of proceedings under the provisions of this article, except as herein otherwise provided, shall be paid by the party making the application: *Provided, however*, That if the applicant shall, before the commencement of such proceedings, have tendered to the parties owning or occupying the lands or mining-claims a sum equal to or more than the amount of damages recovered by the defendant or defendants, then all of the costs and expenses shall be paid by the party or parties owning the lands or mining-claims affected by such right of way, and who appealed and resisted the claim of the applicants thereto.

CHAP. III.—CODE OF CIVIL PROCEDURE.

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SECTION 363. In actions respecting mining-claims proof must be admitted of the customs, usages, or regulations established and in force at the bar or diggings embracing such claim; and such customs, usages, or regulations, when not in conflict with the laws of this territory, must govern the decision of the action.

TITLE III.—CHAP. II.

SECTION 40. No action for the recovery of mining-claims (lode-claims excepted), or for recovery of possession thereof, shall be maintained, unless it appear that the plaintiff or his assigns was seized or possessed of such mining-claims within one year before the commencement of such action.

CHAP. XV.—CORPORATIONS.

ART. I.—*Corporations for industrial or productive purposes.*

Sec.
244. Parties to sign and acknowledge a certificate in writing, setting forth terms of corporation.
245. Copy certified by secretary of the territory to be evidence; to have a corporate seal.
246. Certificate may designate more than one place of business.
247. Certificate to state place of business outside of territory.
248. Notice of election; how elected, etc.
249. Election not held on day appointed not to dissolve corporation.
250. How president designated, and to give security.
251. Trustees to demand subscription not exceeding 20 per cent.
252. Powers of trustees.
253. Stock to be deemed personal property, and how transferred.
254. Certificate deemed *prima-facie* evidence of incorporation.
255. Stockholders individually liable to amount of unpaid stock.
256. Trustees to make purchases and issue stock in payment.
257. President and trustees to make certificate of amount of stock paid in.
258. Report to be published annually.
259. Trustees to be liable if they pay dividend while company is insolvent.
260. No loan to be made to stockholders.
261. Officers liable for signing false report.
262. Party pledging stock liable as stockholder.
263. Representative of stock may vote as stockholder.
264. Legislature may amend or repeal act.
265. Corporation may increase or diminish capital stock.
266. Publication of meeting to increase or diminish stock.
267. Representation of two-thirds of stockholders to increase or diminish stock.
268. Trustees assenting, when personally liable.
269. Treasurer to keep a book, with names of all stockholders; penalty for refusing inspection of books.
270. Persons owning 15 per cent. of capital stock may demand statement of treasurer.
271. What certificate of ditch company to contain.
272. Priority of right to govern direction of water.
273. Rates for water to be fixed by county commissioners.
274. Company to keep banks of ditch in good order.
275. What certificate of flume company to specify.
276. What certificate of quartz company to specify.
277. Tunnel company to have right of way.
278. What certificate of telegraph company to specify.
279. When companies to begin and complete work.
280. Powers of corporation under this act.
281. How powers restricted.
282. Persons liable to fine and imprisonment for damaging corporation's property.
283. Nothing in this act to authorize issuing paper money.
284. How companies heretofore formed organize under this act.
285. How land required by company to be appraised and condemned.
286. How companies formed under this act may be disincorporated.
287. Powers of trustees after dissolution.
288. How place of business removed.
289. Foreign corporations file copy of charter with secretary of territory and county recorder.
290. If charter not filed with secretary within thirty days; act of incorporation, how proved.
291. Ferries, toll-bridges, and toll-roads not to be established.

SECTION 244. At any time hereafter any three or more persons who may desire to form a company for the purpose of carrying on any kind of manufacturing, mining, mechanical, or chemical business, dig ditches, build flumes, run tunnels, or to carry on any branch of business designed to aid in industrial or productive interest of the country, make, sign, and acknowledge before some officer competent to take acknowledgments of deeds, and file in the office of the clerk of the county in which the business of the company shall be carried on, and the duplicate thereof in the office of the secretary of the territory, a certificate in writing, in which shall be stated the corporate name of said company, and the object for which the company shall be formed, the amount of capital stock of the said company, the term of its existence, not to exceed twenty years, the number of shares of which the said stock shall consist, the number of trustees, and their names, who shall manage the concerns of said company for the first three months, and the name of the city, town, or locality, and the county in which the operations of said company shall be carried on.

SEC. 245. When the certificate shall have been filed, as aforesaid, the secretary of the territory shall record and carefully preserve the same in his office, and a copy thereof, duly certified by the secretary of the territory, under the seal of the territory of Montana, shall be evidence of the existence of such company, and the persons who shall have signed and acknowledged the same, and their successors, shall be a body politic and corporate in fact and in name, by the name stated in such certificate, and by that name have succession, and shall be capable of suing and being sued in any court of law or equity in this territory; and they and their successors may have a common seal, and may make and alter the same at pleasure; and they shall, by their corporate name, be capable in law of acquiring, by purchase, pre-emption, donation, or otherwise, and holding or conveying, by deed or otherwise, any real or personal estate whatever which may be necessary to enable the said company to carry on their operations named in the certificate.

SEC. 246. Any certificate hereafter filed and recorded under the provisions of this article may designate one or more places where the company may carry on their business in the territory of Montana.

SEC. 247. If any company shall be formed under this article for the purpose of carrying on any part of its business in any place outside of this territory, the said certificate shall so state, and shall also state the name of the city, town, or locality, and county in which the principal part of the business of said company within this territory is to be transacted, and said town and county shall be deemed the town, place, and county in which the operations and business of the company are to be carried on, and its principal place of business within the meaning and provisions of this article.

SEC. 248. The stock, property, and concern of such company shall be managed by not less than three nor more

than nine trustees, who shall respectively be stockholders in said company, who shall, except the first three months, be annually elected by the stockholders at such time and place as shall be directed by the by-laws of said company; and public notice of the time and place of holding such elections shall be published, not less than ten days previous thereto, in the newspaper printed nearest to the place where the operations of the said company shall be carried on, and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy, provided one-half of the stock is represented. All elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in said company, and the persons receiving the greatest number of votes shall be trustees; and when any vacancy shall happen among the trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as shall be prescribed by the laws of said company.

NOTE.—The preceding five sections are from the act of January 12, 1872.

The trustees of every corporation, heretofore or hereafter organized under the laws of this territory providing for the formation of corporations for the conduct of any business for pecuniary profit, shall be chosen at one time and on a general ticket. At such election for trustees each stockholder shall have as many votes as the number of shares of stock held by him multiplied by the number of trustees to be chosen, and may cast all his votes for one candidate or distribute them, as he may see fit, and the persons having the greatest number of votes shall be trustees; and section 5 of Chapter XVIII of "An act revising, re-enacting, and codifying the general and permanent laws of Montana territory", approved January 12th, 1872, is hereby amended accordingly.

NOTE.—Act of February 21, 1879 (Sess. Laws, 1879, p. 42).

SEC. 249. In case it should happen at any time that an election of trustees shall not be made on the day designated by the by-laws of said company when it ought to have been made, the company for that reason shall not be dissolved; but it shall be lawful on any other day to hold an election for trustees, in such manner as shall be provided for by the said by-laws, and all acts of trustees shall be valid and binding as against such company until their successors shall be elected.

SEC. 250. There shall be a president of the company, who shall be designated from the number of trustees, and also such subordinate officers as the company by its by-laws may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their offices as the company by its by-laws may require.

SEC. 251. It shall be lawful for the trustees to call in and demand from the stockholders, respectively, all such sums of money by them subscribed, at such times and in such payments or installments as the trustees shall deem proper, not to exceed twenty per cent. in any one month, under the penalty of forfeiting the shares of stock subscribed for, and for all previous payments made thereon, if payments shall not be made by the stockholders within sixty days after a personal demand or notice requiring such payment shall have been published for six successive weeks in the newspaper nearest the place where the business of the company shall be carried on as aforesaid.

SEC. 252. The trustees of such company shall have power to make such prudential by-laws as they shall deem proper for the management and disposition of the stock and business affairs of such company, not inconsistent with the laws of the United States and of this territory, and prescribing the duties of officers, artificers, and servants that may be employed; for the appointment of all officers, and for carrying on all kinds of business within the objects and purposes of such company.

SEC. 253. The stock of such company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the company, but no transfer shall be valid, except as between the parties thereto, until the same shall have been so entered upon the books of the company as to show the names of the parties by and to whom transferred, the numbers and designation of the shares, and the date of the transfer.

SEC. 254. The copy of any certificate of incorporation filed and recorded in pursuance of this article, certified by the secretary of the territory under the great seal of the territory of Montana to be a true copy, and the whole of such certificate, shall be received in all courts and places as *prima-facie* evidence of the facts therein stated.

SEC. 255. All stockholders of every company incorporated under the provisions of this article shall be severally and individually liable to the creditors of the company in which they are stockholders to the amount of unpaid stock held by them, respectively, for all acts of, and contracts made by, such company, until the whole amount of capital stock, fixed and limited, shall be paid in, and a certificate thereof shall have been made and recorded, as prescribed in the following sections; and the capital stock so fixed and limited shall all be paid in, one-half thereof within two years and the other half thereof in four years from the incorporation, or said corporation shall be dissolved.

SEC. 256. The trustees of such company may purchase mines, manufactories, and other property necessary for their business, and issue stock to the amount of the value thereof in payment therefor, and the stock so issued shall be declared and taken to be full stock and not liable to any further call; neither shall the holders thereof be liable for any further payments under the provisions of section 253 of this article, but in all statements and reports of the company to be published this stock shall not be stated or reported as being issued for cash paid into the company, but shall be reported in this respect according to the facts.

SEC. 257. The president and a majority of the trustees, within thirty days after the payment of the first installment of the capital stock so fixed and limited by the company, shall make a certificate stating the amount of the capital so fixed and paid in, which certificate shall be signed and sworn to by the president and a majority of the trustees, and they shall, within the said thirty days, record the same in the office of the county clerk of the county wherein the business of said company is carried on.

SEC. 258. Every such company shall, annually, within twenty days from the first day of September, make report, which shall be published in some newspaper published in the town, city, or village, or, if there be no newspaper published in said town, city, or village, then in some newspaper published nearest the place where the business of said company is carried on, which shall state the amount of capital and the proportion actually paid in, and the amount of existing debts, which report shall be signed by the president and a majority of the trustees, and shall be verified by the oath of the president or secretary of said company, and filed in the office of the clerk of the county where the business of the company shall be carried on, and, if any of said company shall fail to do so, all the trustees of the company shall be jointly and severally liable for all debts of the company then existing, and for all that shall be contracted before such report shall be made.

SEC. 259. If the trustees of any such company shall declare and pay any dividend when the company is insolvent, or any dividend the payment of which would render it insolvent, or which would diminish the amount of its capital stock, they shall be jointly and severally liable for all the debts of the company then existing, and for all that shall be thereafter contracted while they shall respectively continue in office: *Provided*, That if any of the trustees shall object to the declaring of such dividend, or to the payment of the same, and shall, at any time before the time fixed for the payment thereof, file a certificate of their objection in writing with the clerk of the company, and with the clerk of the county, they shall be exempt from the said liability.

SEC. 260. No loan of money shall be made by any such company to any stockholder therein, and, if any such loan shall be made to a stockholder, the officer who shall make it, or who shall assent thereto, shall be jointly and severally liable to the extent of such loan and interest for all the debts of the company contracted before the repayment of the sum loaned.

SEC. 261. If any certificate or report made, or public notice given, by the officers of any such company, in pursuance of the provisions of this article, shall be false in any material representation, all the officers who shall have signed the same shall be jointly and severally liable for all the debts of the company contracted while they are stockholders or officers thereof.

SEC. 262. No person holding stock in any such company as executor, administrator, guardian, or trustee, and no person holding such stock as collateral security, shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as stockholder accordingly, and the estate and funds in the hands of such executor, administrator, guardian, or trustee shall be liable in like manner, and to the same extent, as the testator or intestate, or the ward or person interested in such trust fund, would have been if he had been living and competent to act, and held the same stock in his own name.

SEC. 263. Every such executor, administrator, guardian, or trustee shall represent the shares of stock in his hands at all meetings of the company, and may vote accordingly as a stockholder; and every person who shall pledge his stock, as aforesaid, may nevertheless represent the same at all such meetings, and may vote accordingly as a stockholder.

SEC. 264. The legislature may, at any time, alter, amend, or repeal this article, but such amendment or repeal shall not take away or impair any rights acquired, or remedy given against any such corporation, its stockholders, or officers, for any liability which shall have been previously incurred.

SEC. 265. Any corporation or company heretofore formed, either by special act or under the general law, and now existing, or any company which may be formed under this article, may increase or diminish its capital stock by complying with the provisions of this article to any amounts which may be deemed sufficient and proper for the purposes of the corporation, and may also extend its business to any other branch named in section 244 of this article, subject to the provisions and liabilities of this article; but before any corporation shall be entitled to diminish the amount of its capital stock, if the amounts of its debts and liabilities shall exceed the amount of capital to which it is proposed to be reduced, such amount of debts and liabilities shall be satisfied and reduced so as not to exceed such diminished amount of capital, and any existing company, heretofore formed under any special act, may come under and avail itself of the provisions of this article by complying with the following provisions, and thereupon such company, its officers and stockholders, shall be subject to all restrictions, duties, and liabilities of this article.

SEC. 266. Whenever any company shall desire to call a meeting of stockholders for the purpose of availing itself of the privilege of this article, or for increasing or diminishing the amount of its capital stock, or for extending or changing its business, it shall be the duty of the trustees to publish a notice, signed by at least a majority of them, in a newspaper in the county, if any shall be published therein, at least six successive weeks, and to deposit a written or printed copy thereof in the post-office, addressed to each stockholder, at his usual place of residence, at least six weeks previous to the day fixed for holding such meeting, specifying the object of the meeting, the time

and place when and where such meeting shall be held, and the amount to which it shall be proposed to increase or diminish the capital, and the business to which the company would be extended or changed; and a vote of at least two-thirds of all the shares of stock shall be necessary to an increase or diminution of the amount of its capital stock, or the extension or change of its business as aforesaid, or to enable a company to avail itself of the provisions of this article.

SEC. 267. If, at any time and place specified in the notice provided for in the preceding sections of this article, stockholders shall appear in person or by proxy, in number representing not less than two-thirds of all the shares of stock of the corporation, they shall organize by choosing one of the trustees chairman of the meeting, and also a suitable person for secretary, and proceed to a vote of those present in person or by proxy, and if, on canvassing the votes, it shall appear that a sufficient number of votes have been in favor of increasing or diminishing the amount of capital, or of extending or changing its business, as aforesaid, or for availing itself of the privileges and provisions of this article, a certificate of the proceedings, showing a compliance with the provisions of this article, the amount of capital actually paid in, the business to which it is extended or changed, the whole amount of debt and liabilities of the company, and the amount to which the capital stock shall be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman, and be countersigned by the secretary, and such certificate shall be acknowledged by the chairman, and filed and recorded as required by section 244 of this article, and when so filed and so recorded the capital stock of such corporation shall be increased or diminished to the amount specified in such certificate, and the business extended or changed, as aforesaid, and the company shall be entitled to the privileges and provisions and be subject to the liabilities of this article, as the case may be.

SEC. 268. If the indebtedness of any such company shall, at any time, exceed the amount of its capital stock, the trustees of such company assenting thereto shall be personally liable for such excess to the creditors of such company.

SEC. 269. It shall be the duty of the trustees of every such corporation or company to cause a book to be kept by the treasurer or clerk thereof, containing the names of all persons, alphabetically arranged, who have been or shall, within the provisions of this article, become stockholders of such company, showing their places of residence, the number of the shares of stock held by them respectively, and the time when they became respectively the owners of such shares, and the amount of the stock actually paid in, which book shall, during the usual business hours of the day, and on every day except Sunday and the fourth of July, be open for the inspection of stockholders and creditors of the company, and their personal representatives, where the office or principal place of business operation shall be located, and any and every such stockholder, creditor, or representative shall have a right to make extracts from such book; and no transfer of stock shall be valid for any purpose whatever, except to render the person to whom it shall be transferred liable for the debts of the company, according to the provisions of this article, until it shall have been entered therein, as required by this section, by an entry showing to and from whom transferred; such book shall be presumptive evidence of the facts therein stated, in favor of the plaintiff to any suit or proceeding against such company, or against any one or more stockholders. Every officer or agent of such company who shall neglect to make any proper entry in such book, or shall refuse or neglect to make any proper entry in such book, or shall make any improper entry, or shall refuse or neglect to exhibit the same, or allow the same to be inspected and extracts taken therefrom, as provided by this section, shall be deemed guilty of a misdemeanor, and the company shall forfeit and pay to the party injured a penalty of fifty dollars for every such neglect or refusal, and all the damages resulting therefrom; and every company that shall neglect to keep such book open for inspection as aforesaid shall forfeit to the people of Montana the sum of fifty dollars for every day it shall so neglect, to be sued and recovered in the name of the people of said territory, by the district attorney of the county in which the business of such corporation shall be located, and when so recovered the amount shall be paid into the treasury of such county for the use of common schools therein.

SEC. 270. Whenever any person or persons owning fifteen per cent. of the capital stock of any company formed under the provisions of this article shall present a written request to the treasurer thereof that they desire a statement of the affairs of such company, it shall be the duty of such treasurer to make a statement of the affairs of the company, under oath, embracing a particular account of all its assets and liabilities in minute detail, and to deliver such statement to the persons who presented the said written request to said treasurer within twenty days after such presentation, and shall also, at the same time, place and keep on file in his office, for six months thereafter, a copy of such statement, which shall, at all times during business hours, be exhibited to any stockholder of said company demanding an examination thereof; such treasurer, however, shall not be required to deliver such statement in the manner aforesaid oftener than once in six months. If such treasurer shall neglect or refuse to comply with any provisions of this article, he shall forfeit and pay to the person presenting said written request the sum of fifty dollars, and the further sum of ten dollars for every twenty-four hours thereafter until such statement shall be furnished, to be sued for and recovered in any court having cognizance thereof.

SEC. 271. Whenever any three or more persons associate under the provisions of this article to form a company for the purpose of constructing a ditch for the purpose of conveying water to any mines, mills, or lands, to be used for mining, milling, or the irrigation of lands, they shall, in their certificate, in addition to the matters required in

section 244 of this article, specify as follows: The stream or streams from which the water is taken; the point or place on said stream at or near which the water is to be taken out; the line of said ditch, as near as may be; and the use to which the said water is intended to be applied.

SEC. 272. Any ditch company formed under the provisions of this article shall have the right of way over the line named in the certificate, and shall also have the right to run the water of the stream or streams named in the certificate through their ditch: *Provided*, That the line proposed shall not interfere with any other ditch whose rights are prior to those acquired under this article and by virtue of said certificate; nor shall the water of any stream be diverted from its original channel to the detriment of any mines, mill-men, or others along the line of, said stream who may have priority of right.

SEC. 273. Any company constructing a ditch under the provisions of this article shall furnish water in the way and manner named in the certificate, in the way and manner the water is designated to be used, whether miners, mill-men, or farmers, whenever they shall have water in their ditch unsold; and shall, at all times, give the preference to the use of the water in said ditch to the class of persons so named in the certificate; the rates at which water shall be furnished to be fixed by the county commissioners, or the tribunal transacting county business, as soon as such ditch shall be completed and prepared to furnish such water.

SEC. 274. Every ditch company organized under the provisions of this article shall be required to keep the banks of their ditch in good condition, so that the water shall not be allowed to escape from the same to the injury of any mining-claim, road, ditch, or other property; and whenever it is necessary to convey any ditch over, across, or above any lode or mining-claim, that the company shall, if necessary to keep the water of said ditch out or from any claim, flume the ditch so far as necessary to protect such claim or property from the water of said ditch.

SEC. 275. That when any company shall organize under the provisions of this article to form a company for the purpose of constructing a flume, their certificate, in addition to the matter required in section 244 of this article, shall specify as follows: The place of beginning, termini, and route, so near as may be, and the purpose for which such flume is intended; and when organized according to the provisions of this article said company shall have the right of way over the line proposed in such certificate for such flume, provided it does not conflict with the right of any former fluming, ditching, or other company.

SEC. 276. Whenever any three or more persons shall associate under the provisions of this article for the purpose of running a tunnel for mining for gold, quartz, or other ore, their certificate of incorporation shall specify, in addition to the matters required by section 244 of this article, as follows, to wit: Where said tunnel is to be run, the place of commencement, course, and termination, and the minerals or ore designed to be excavated.

SEC. 277. Any company formed under the provisions of this article for the purpose of excavating a tunnel shall have and hold eleven hundred feet on each side of said tunnel on all lodes discovered by them while excavating said tunnel, and through all lodes discovered previous to the commencement of said tunnel they shall have the right of way.

SEC. 278. Whenever any three or more persons associate under the provisions of this article to form a company for the purpose of constructing a line or lines of magnetic telegraph in this territory, their certificate shall specify as follows: The termini of such line or lines, and the counties through which they shall pass; and such corporation is hereby authorized to construct said telegraph line or lines from point to point along and upon any of the public roads, by the erection of any necessary fixtures, including posts, piers, and abutments necessary for the wires: *Provided*, That the same shall not incommode the public in the use of said roads or highways.

SEC. 279. Any company formed under the provisions of this article for the purpose of constructing any ditch or flume shall, within sixty days from the date of their certificate, commence work on such ditch or flume as shall be named in the certificate, and shall prosecute the work with due diligence until the same is completed, and the time of completion of any such ditch shall not be extended beyond a period of three years from the time the work was commenced as aforesaid; and any company failing to commence work within sixty days from the date of certificate, or failing to complete the same within three years from the time of commencement as aforesaid, shall forfeit all the right to the route so claimed, and the same shall be subject to be claimed by any other company. The time for the completion of any flume constructed under the provisions of this article shall not be extended beyond a period of three years, and the county commissioners of the counties in which roads and bridges may have been constructed under the provisions of the act of which this is amendatory shall have the right to purchase the same, upon agreement with said company or companies, and declare them free for public use.

SEC. 280. Every corporation formed under the provisions of this article has power:

First. To have succession by its corporate name for the period limited in its certificate of charter.

Second. To sue and be sued, complain and defend, in any court of law or equity.

Third. To make and use a common seal, and alter the same at pleasure.

Fourth. To hold, purchase, and convey such real and personal estate as the purposes of the corporation may require.

Fifth. To appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation.

Sixth. To make by-laws, not inconsistent with any existing law, for the management of its property, the regulation of its affairs, and for the transfer of its stock: *Provided*, That no corporation formed under the provisions of this article shall own or hold possession of more than six hundred and forty acres of land.

SEC. 281. The powers enumerated in the preceding section shall vest in any corporation that shall hereafter be created, although they may not be specified in the certificate; but no corporation shall possess or exercise any corporate powers, except such as shall be necessary to the exercise of the powers so enumerated.

SEC. 282. Any person who shall willfully or maliciously damage or interfere with any road, ditch, flume, bridge, ferry, telegraph-line, or any of the fixtures, tools, implements, appurtenances, or any property of any company which may be organized under the provisions of this article, upon conviction thereof before any court of competent jurisdiction in the county where the offense shall have been committed shall be deemed guilty of a misdemeanor, and shall be punished by fine and imprisonment, or both, at the discretion of the court, said imprisonment not to exceed one year, and said fine not to exceed five hundred dollars, and to be paid into the county treasury for the use of the common schools: and said offender shall also pay all damages that any such corporation may sustain, together with costs of suit.

SEC. 283. Nothing in this article shall be so construed as to authorize any company authorized under the same to issue notes or bills for circulation as money.

SEC. 284. That any company organized under the provisions of this article, and other companies who have become bodies corporate, heretofore formed under the provisions of any general law or any special act, who may desire to come under and avail itself of the privileges and provisions herein granted, shall give notice to the secretary of the territory of their surrender of their rights and privileges under any previous law or act, said notice to be certified to by the president of said company, and to be filed in the office of the secretary of the territory, and become a body corporate and politic by complying with all and singular the provisions of this article.

SEC. 285. Whenever any road, ditch, telegraph, or fluming company, organized under the provisions of this article, shall not have acquired, by gift or purchase, any land, real estate, or claim required for the construction or maintenance of any road, ditch, telegraph, or flume, or which may be affected by any operations connected with the construction or maintenance of the same, the said corporation may present, to the probate judge of the county wherein such lands, real estate, or claims shall be, a petition, signed by the president, attorney, or agent of the same, describing with convenient accuracy and certainty, by maps or otherwise, the lands, real estate, or claims so required to be taken or affected as aforesaid, setting forth the name and residence of each owner, or other person interested therein as owner, lessee, or incumbrancer, as far as known to such president, attorney, or agent, or appearing of record upon local or county records, and praying the appointment of three appraisers to ascertain the compensation to be made to such owner and person interested for the taking or injuriously affecting such land, real estate, or claims, as aforesaid. The probate judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof, for the appointment of appraisers between said corporations and the owners and the persons interested in such lands, real estate, and claims has been given, at least ten days previously, to such owners, personally, at their residence, or on the premises, or by the publication thereof in a newspaper printed in the county in which such lands, real estate, or claims shall be, or if no newspaper is published in said county, then by posting three or more notices in some public place in said county, such publication to be allowed only in respect to owners or persons interested, who shall appear by affidavit to have no residence in the county known to such president, attorney, or agent, which notice shall be published at least thirty days prior to the time fixed for the application aforesaid. The court may adjourn the proceedings from time to time; shall direct any future notice thereof to be given that may seem proper; shall have proofs and allegations of all parties interested touching the regularity of the proceedings; and shall, by an entry in its minutes, appoint three disinterested appraisers, as aforesaid, specifying in such entry a time and place for the first meeting of such appraisers. The said appraisers, before entering upon the duties of their offices, shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them; they may issue subpœnas and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall have the proofs and allegations of the parties, and any two of them, after reviewing the premises, shall, without fear or favor or partiality, ascertain and certify the compensation proper to be made to said owners or parties interested for the lands, real estate, or claims to be taken or affected, as well as all damages accruing to the owners or parties interested in consequence of the condemnation of the same, taking, or injuriously affected, as aforesaid, making such deductions or allowance for the real benefits or advantages which such owners or parties interested may derive from the construction of said road, ditch, telegraph, or flume. They, or a majority of them, shall make, subscribe, and file, in the office of the clerk of the county in which such lands, real estate, or claims shall lie, a certificate of their said ascertainment and assessment, in which such lands, real estate, or claims shall be described with convenient certainty and accuracy. The probate judge, upon such certificate and due proof that such compensation and separate sums, if any be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties in the county treasury, or other place for that purpose approved by

the court, shall make and cause to be entered in its minutes a rule describing such lands, real estate, or claims, in manner aforesaid, such ascertainment of compensation, with mode of making it, and each payment or deposit of the compensation, as aforesaid, a certified copy of which shall be recorded and indexed in the recorder's office of the proper county, in like manner and with like effect as if it were a deed of conveyance from the said owners and parties interested to the said corporation. Upon the entry of such rule the said corporation shall become seized in fee, or shall have the exclusive right, title, and possession of all such lands, real estate, or claims described in said rule, as required to be taken as aforesaid, during the continuance of the corporation, and may take possession of and hold and use the same for the purpose of such said road, ditch, telegraph, or flume, and shall thereupon be discharged from all claims for any damage by reason of any matter specified in such petition, certificate, or rule of said probate judge. If at any time after an attempted or actual ascertainment of compensation under this article, or any purchase by or donation to said corporation of lands or claim for purposes aforesaid, it shall appear that the title acquired thereby to all or any part of such lands, for the use of said corporation, of, or if said assessment shall fail or be deemed defective, the said corporation shall proceed and perfect such title by procuring an assessment of the compensation proper to be made to any person who has title, claim, or interest in or lien upon such lands, and by making payment thereof in the manner hereinafter provided, as near as may be, and at any stage of such new proceedings, or of any proceedings under this article, the probate judge may, by rule in that behalf made, authorize the said corporation, if already in possession, and if not in possession, to take possession of and use said premises during the pendency and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporation on account thereof: *Provided*, Such corporation shall pay a sufficient sum into court, or give approved security to pay the compensation in that behalf when ascertained. And, in every case when possession shall be so authorized, it shall be lawful for the owners to conduct the proceedings to a conclusion, if the same shall be delayed by the company. The said appraisers shall receive five dollars per day as compensation for each day actually employed, such compensation to be taxed and allowed by the probate judge. If any appraisers so appointed shall die, be unable, or fail to serve, the court may appoint another in his place, on reasonable notice of the application, to be approved by the probate judge. Applications may be made to the district court in the same manner as herein provided, and the district court may thereupon cause such proceedings to be had and taken in like manner and with the same effect as herein required respecting the probate court.

SEC. 286. Any corporation formed under this article may dissolve and disincorporate itself by presenting to the judge of the district court of the district in which the principal place of business of such corporation is situated a petition to that effect, accompanied by a certificate of the proper officers, and setting forth that, at a general or special meeting of the stockholders called for that purpose, it was decided, by a vote of two-thirds of all the stockholders, to disincorporate and dissolve the corporation. Notice of the application shall then be given by the clerk of the court, which notice shall set forth the nature of the application, and shall specify the time when and the place where it is to be heard, and shall be published in some newspaper of the county where the principal place of business of said company is located for at least four consecutive weeks before the time of the hearing of such application, or if no newspaper be published in the county, then by advertisement posted up for thirty days in three of the most public places in the county. At the time and place appointed, or any other to which the judge may postpone it, he shall proceed to hear and consider such application, and, if satisfied that the corporation has taken the necessary preliminary steps and obtained the necessary votes to dissolve itself, he shal lenter an order declaring it dissolved, and the rights of franchise acquired by said corporation shall cease and become null and void after such dissolution.

SEC. 287. Upon the dissolution of any corporation formed under this article, the trustees at the time of dissolution shall be the trustees of the creditors and stockholders of the corporation dissolved, and shall have full power and authority to sue for and recover the debts and property of the corporation, by the name of trustees of such corporation, collect and pay the outstanding debts, settle all its affairs, and divide among the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

SEC. 288. Any corporation, desiring at any time to remove its principal place of business into some other county of the territory, shall file in the office of the county recorder of such county a certified copy of its certificate of incorporation, and shall give notice of such removal by publication in some newspaper of the county in which such principal place of business was located at least once a week for four weeks, and if no newspaper be published in such county, then by advertisement posted up for thirty days in three of the most public places in said county.

SEC. 289. That hereafter all mining, manufacturing, and other companies or incorporations incorporated by the legislature of any state or territory of the United States, or incorporated under the general laws of incorporation of any state or territory other than this territory, and incorporated for the purpose of carrying on or doing business of any kind, nature, and description whatever in this territory, shall, before they proceed to do business under the charter or certificate of incorporation in this territory, file for record with the secretary of the territory, and also in the office of the recorder of the county in which they are carrying on business, the charter or certificate of incorporation of said company or corporation, duly authenticated, or of the copy of said charter or certificate of

incorporation, and the certificate of the president and secretary of said company or corporation, verified under oath by either of the said officers, or the superintendent or managing agent thereof, that the copy of said charter or certificate of incorporation is a true and correct copy of the original charter or certificate of incorporation granted to the persons therein named or their successors, and the charter or certificate of incorporation was granted at the time and place therein mentioned, and under the law of the state or territory designated; and said foreign incorporations shall remunerate the secretary and recorder for the recording of the same, and said charter so recorded shall be recognized in the courts of this territory as their foreign act of incorporation.

SEC. 290. That any company or corporation, incorporated as in section 244 of this article, that shall neglect or refuse, for the period of thirty days, to file for record their charter or certificate of incorporation, or copy thereof, with the secretary of the territory and county recorder of the county wherein such business may be carried on, shall be deemed guilty of willful negligence on the part of said company or corporation; and thereafter any person or persons maintaining or prosecuting any civil action in any court of this territory against said company or corporation so neglecting or refusing to file for record their charter or certificate of incorporation, or copy thereof, with the secretary of the territory and county recorder, as hereinbefore provided, shall not be held to prove on trial the incorporation of said company or corporation by the original charter or certificate of incorporation, or act of incorporation, but the same may be proved by general reputation; and the provisions of this section shall also apply to all companies and incorporations incorporated by the legislature, or under the general laws of incorporation of any state or territory of the United States other than this territory, that shall have failed or refused to file its charter or certificate of incorporation, or act of incorporation, or a copy thereof, duly authenticated, as provided in section 289 in this article, with the secretary of the territory and the county recorder of the county in which such company or corporation is carrying on business prior to the commencement of the civil action mentioned in this section.

NOTE.—Act February 3, 1876 (Sess. Laws, 1876, p. 41).

SEC. 291. From and after the passage of this article no corporations shall be formed under its provisions for the purpose of establishing ferries, toll-bridges, or toll-roads.

NOTE.—All sections of the preceding article, except where otherwise specially noted, are from the act of January 12, 1872 (Cod. Stats., 1871–'72, p. 404).

NOTE.—See act of July 22, 1879, "Foreign corporations" (Sess. Laws, Ex. sess. 1879, p. 8).

CHAP. LIII.—REVENUE.

ART. I.—*Of the levying and collection of taxes, and of taxable property generally.*

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SECTION 1002. All property of every kind and nature in this territory on the first day of January of each year, or which shall arrive or be found in this territory before the last day of December ensuing, shall be subject to taxation, except:

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Ninth. Mines and mining-claims, except those held under a patent from the United States: *Provided*, That all machinery used in mining-claims, and all property and improvements appurtenant to or upon mining-claims, which have an independent and separate value, shall be subject to taxation; tools of mechanics, farming tools of husbandmen, all libraries of professional men and private citizens, household furniture of families or householders, which do not exceed in value the sum of two hundred and fifty dollars.

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SEC. 1007. The property of corporations or companies constructing bridges, canals, ditches, flumes, railways, plank-roads, grading-roads, turnpike-roads, telegraph-lines, and similar improvements shall be assessed to each corporation or company, and their interests are to be taxed in this territory in the county or localities in which such bridges, canals, flumes, railways, plank-roads, grading-roads, turnpike-roads, telegraph-lines, and similar improvements may be in, and to the extent of such improvements as may be found to be in the county or counties in which the same may be situated; and to this end the assessor is directed to require the secretary or clerk, or whatever officer of corresponding duties there may be, to render, under oath, a list of the number of miles and value of such improvements as may be in each separate county through which the same may be constructed or in which the same may be situated.

SEC. 1008. All taxable property is to be listed and valued each year, and shall be assessed at its true value in money at private sale, having regard to its quality, locality, natural advantages, the general improvement in the vicinity, and all other elements of its value.

CHAP. XXXIII.—IRRIGATION—WATER-RIGHTS.

ART. I.—*Rights of persons and corporations.*

Sec.
731. Any person or company holding land entitled to water for irrigation.
732. Persons to have right of way for ditch or canal.
733. Right to extend only so far as is necessary.
734. Date of appropriation to determine rights.
735. Water to be made available without injury to prior appropriator.
736. Person digging ditch to be liable for damages.
737. This act not to interfere with rights acquired; its passage.
738. This act not to prevent use of water for mining, etc.
739. Persons constructing ditches across roads to repair same.
740. Penalty for violating preceding section.
741. Rights of persons to be governed by local laws, rules, and customs, decisions of supreme court, etc.

SECTION 731. That any person or persons, corporation, or company who may have or hold a title, or possessory right or title, to any agricultural lands within the limits of this territory, as defined by the organic act thereof, shall be entitled to the use and enjoyment of the waters of the streams or creeks in said territory for the purposes of irrigation and making said land available for agricultural purposes to the full extent of the soil thereof: *Provided*, That in all cases where, by virtue of prior appropriation, any person may have diverted all the water of any stream, or to such an extent that there shall not be an amount sufficient left therein for those having a subsequent right to the waters of such stream for such purpose of irrigation, and there shall at any time be a surplus of such waters so diverted over and above what is actually used for such purpose by such prior appropriator, such person shall be required to turn and cause to flow back into such stream such surplus water, and upon failure to do so within five days after demand being made upon him in writing by any person having a right to the use of such surplus water, such person so diverting the same shall be liable to the person aggrieved thereby in the sum of twenty-five dollars for each and every day such water shall be withheld after such notice, to be recovered by civil action by any person having a right to the use of such surplus water.

NOTE.—Act February 21, 1879 (Sess. Laws, 1879, p. 52).

SEC. 732. That when any person or persons, corporation, or company owning or holding land as provided in section 731 of this article shall have no available water facilities upon the same, or whenever it may be necessary to raise the waters of said stream or creek to a sufficient height to so irrigate said land, or whenever such lands are too far removed from said stream or creek to so use the waters thereof as aforesaid, such person or persons, corporation, or company shall have the right of way through and over any tract or piece of land for the purposes of conducting and conveying said water by means of ditches, dykes, flumes, or canals, for the purpose aforesaid.

SEC. 733. That such right to so dig and construct ditches, dykes, flumes, and canals over and across the lands of another shall only extend to so much digging, cutting, or excavations as may be necessary for the purposes required.

SEC. 734. That in all controversies respecting the rights to water, under the provisions of this article, the same shall be determined by the date of the appropriation as respectively made by the parties.

SEC. 735. That the waters of the streams or creeks of the territory may be made available to the full extent of the capacity thereof for irrigating purposes, without regard to deterioration in quality or diminution in quantity, so that the same do not materially affect or impair the rights of the prior appropriator; but in no case shall the same be diverted or turned from the ditches or canals of such appropriator so as to render the same unavailable.

SEC. 736. That any person or persons, corporation, or company damaging or injuring the lands or possessions of another by reason of cutting or digging ditches or canals or erecting flumes, as provided by section 732 of this article, the party so committing such injury or damage shall be liable to the party so injured therefor.

SEC. 737. That this article shall not be so construed as to impair or in any way or manner interfere with the rights of parties to the use of the water of such streams or creeks acquired before its passage.

SEC. 738. That this article shall not be so construed as to prevent or exclude the appropriators of the waters of the said streams or creeks for mining, manufacturing, or other beneficial purposes, and the right also to appropriate the same is hereby equally recognized and declared.

SEC. 739. That any person or persons, corporation, or company who may dig and construct ditches, dykes, flumes, or canals over or across any public roads or highways, or who use the waters of such ditches, dykes, flumes, or canals, shall be required to keep the same in good repair at such crossings or other places where the water from any such ditches, dykes, flumes, or canals may flow over or in anywise injure any roads or highways, either by bridging or otherwise.

SEC. 740. Any person or persons offending against section 739 of this article, on conviction thereof, shall forfeit and pay for every such offense a penalty of not less than twenty-five dollars nor more than one hundred dollars, to be recovered, with costs of suit, in civil action, in the name of the territory of Montana, before any court having jurisdiction; one-half of the fine so collected shall be paid into the county treasury for the benefit of the common schools of the county in which the offense was committed, and the other half shall be paid to the person or persons informing the nearest magistrate that such offense has been committed. All such fines and costs shall be collected

without stay of execution, and such defendant or defendants may, by order of the court, be confined in the county jail until such fine and costs shall have been paid.

SEC. 741. That in all controversies respecting the right to water in this territory, whether for mining, manufacturing, agricultural, or other useful purposes, the rights of the parties shall be determined by the dates of appropriation, respectively, with the modifications heretofore existing under the local laws, rules, or customs and decisions of the supreme court of the territory.

NOTE.—Act of January 12, 1872 (Cod. Stats., 1871–'72, p. 498).

ART. II.—*Regulating the sale of water.*

Sec.
742. Owners of water must sell surplus, if demanded.
743. Duty of purchaser to dig ditches, etc.
744. Right to surplus, and enforcement thereof.
745. Purchaser acquires no right to sell.

SECTION 742. That any person or persons, company, or corporation having the right to use, sell, or dispose of water, and engaged in using, selling, or disposing of the same, who shall have a surplus of water not used or sold, or any person or persons, corporation, or company having a surplus of water and the right to sell and dispose of same shall, and they or it are hereby required, upon the payment or tender to the person or persons entitled thereto an amount equal to the usual and customary rates per inch, to convey and deliver to the person or persons, company, or corporation such surplus of unsold water, or so much thereof for which said payment or tender shall have been made, and shall continue so to convey and deliver the same weekly so long as said surplus of unused or unsold water shall exist and said payment or tender made as aforesaid.

SEC. 743. That any person or persons, corporation, or company desiring to avail themselves of the provisions of this article shall, at their own cost and expense, construct or dig the necessary flumes or ditches to receive and convey the surplus water so desired by it or them, and shall pay or tender to the person or persons, corporation, or company having a right to the use, sale, or disposal thereof an amount equal to the necessary costs and expense of tapping any gulch, stream, reservoir, ditch, flume, or aqueduct, and putting in gates, gauges, or other proper and necessary appliances usual and customary in such cases, and until the same shall be so done the delivery of the said surplus water shall not be required as provided by section 742 of this article.

SEC. 744. That any person or persons, corporation, or company constructing the necessary ditches, aqueducts, or flumes, and making the payments or tenders hereinbefore provided, shall be entitled to the use of so much of the said surplus water as said ditches, flumes, or aqueducts shall have the capacity to carry, and for which payment or tender shall have been made as aforesaid, with all the rights and privileges incidental thereto, so long as said unsold or surplus water exists and said payment or tender shall be or have been made, and may institute and maintain any appropriate action, at law or in equity, for the enforcement of such right or recovery of damages arising from a failure to deliver or wrongful diversion of the same.

SEC. 745. That nothing in this article shall be so construed as to give the person or persons, corporation, or company acquiring the right to the use of water, as hereinbefore provided, the right to sell or dispose of the same after being so used by it or them, or prevent the original owner or proprietor from retaking, selling, and disposing of the same in the usual and customary manner after it is so used as aforesaid.

NOTE.—Act of February 16, 1877 (Sess. Laws, 1877, p. 406).

CHAP. XLI.—LIENS.

Sec.
820. Mechanics to have liens, extent of.
821. Lien of subcontractor, notice of.
822. Subcontractor to file statement, when.
823. Employer to become surety to subcontractor, when.
824. Notice may be served by sheriff.
825. Time of filing statement of indebtedness by all persons other than subcontractors.
826. Recorder to keep index of liens filed.
827. Liens to have priority in the order of filing by classes.
828. Employer's interest in land subject to lien; building may be sold and removed.
829. When lien shall attach; purchaser of building may remove same.
830. Suit may be brought in district court to enforce lien.

SECTION 820. Every mechanic, builder, lumberman, artisan, workman, laborer, or other person who shall do or perform any work or labor upon, or furnish any material, machinery, or fixtures for, any building, erection, bridge, flume, canal, ditch, mining-claim, quartz-lode, ranch, city or town lots, or other improvements upon land, or for repairing the same, upon complying with the provisions of this chapter shall have, for his work or labor done, or material, machinery, or fixtures furnished, a lien upon such building, erection, bridge, flume, canal, ditch, mining-claim, quartz-lode, ranch, city or town lots, or other improvements, to secure the payment of such work or labor done, or material, machinery, or fixtures furnished.

SEC. 821. Every subcontractor wishing to avail himself of the benefits of this chapter shall give notice to the

owner or proprietor, or his agent or trustee, before or at the time he furnishes any of the things aforesaid, or performs any of the labor, of his intention to furnish or perform the same, and the probable value thereof; and if afterwards the things are furnished, or labor done, the subcontractor shall settle with the contractor therefor, and having made the settlement in writing, the same, signed by the contractor and certified by him to be just, shall be presented to the owner or proprietor, or his agent or trustee, and left with him; and within thirty days from the time the things shall have been furnished, or the labor performed, the subcontractor shall file, with the recorder of the county in which the building, erection, or other improvement is situated, a copy of the settlement between himself and the contractor, which shall be a lien upon the building, erection, or improvement for which the things were furnished, or on which the labor was performed, and shall at the time file a correct description of the property to be charged with the lien, the correctness of all which shall be verified by affidavit.

SEC. 822. In case the contractor shall, for any reason, fail or refuse to make and sign such settlement in writing with the subcontractor when the same is demanded, then the subcontractor shall make a just and true statement of work and labor done, or things furnished by him, giving all credits, which he shall present to the owner or proprietor, or his agent or trustee, and shall also, within said thirty days, file a copy of the same, verified by affidavit, with the recorder of the county in which the building, erection, or other improvement is situated, together with a full and correct description of the property to be charged with the lien.

SEC. 823. The certificate of settlement, made as aforesaid, or statement of the subcontractor, shall be a justification to the employer in withholding from the contractor the amount appearing thereby to be due to the subcontractor until he is satisfied that the same has been paid; and the employer shall become surety of the contractor to the subcontractor for the amount due for such work and labor or things, not, however, exceeding the value thereof, as notified under section 821.

SEC. 824. The notice mentioned in the preceding sections may be served by the sheriff or any constable of the county in which such building, erection, or other improvement is situated, and the return thereon of such sheriff or constable shall be received in evidence without further proof.

SEC. 825. It shall be the duty of every person and all persons, except as has been provided for subcontractors, who wish to avail himself or themselves of the benefits of this chapter, to file, with the recorder of the county in which the building, erection, bridge, flume, canal, ditch, mining-claim, quartz-lode, ranch, city or town lots, or other improvements upon lands to be charged with lien is situated, and within ninety days after the things aforesaid have been furnished, or the work or labor done or performed, a just and true account of the amount due or owing to him after allowing all credits, and containing a correct description of the property to be charged with said lien, verified by affidavit.

SEC. 826. It shall be the duty of the recorder of the county to indorse upon every account the day of its filing, and make an abstract thereof in a book by him to be kept for that purpose, and properly indexed, containing the date of its filing, the name of the person laying or imposing the lien, the amount of such lien, the name of the person against whose property the lien is filed, and the description of the property to be charged with the same; for all of which he shall receive the sum of one dollar from the person laying or imposing the lien, which shall be taxed and collected as other costs in case there be suit thereon.

NOTE.—Sections 825 and 826 are from act February 13, 1874 (Sess. Laws, 1874, p. 84).

SEC. 827. That the lien given by section 820 of this chapter shall extend to the lot or land upon which any such building, improvement, or structure to the extent of one acre, if outside any town or city, or if within any town or city, then to the extent of the whole lot or lots upon which the same is situated, if the land belonged to the person who caused said building to be constructed, altered, or repaired; but if such person owned less than a fee-simple estate in such land, then only his interest therein is subject to such lien. All liens for work or labor done, or material furnished, upon the same premises, which shall be filed within thirty days after the filing of the first lien on such premises, shall entitle the holder thereof to share equally, *pro rata*, according to the amount of their respective liens, in the proceeds arising from the sale of such premises upon the foreclosure of such liens. If, after the expiration of thirty days, other liens shall be filed against such premises, then all liens filed within sixty days after the filing of such subsequent lien shall be liens of the second class, and share *pro rata* in any proceeds arising from the sale of the said premises which may remain after all liens of the first class have been paid. The liens for work or labor done, or material furnished, as specified in this chapter, shall be prior to, and have precedence over, any mortgage, incumbrance, or other lien made subsequent to the commencement of work on any contract for the erection of such building or other improvement.

NOTE.—Section 827 is from act of February 16, 1877 (Sess. Laws, 1877, p. 238).

SEC. 828. The entire land, to the extent aforesaid, upon which any such building, erection, or other improvement is situated, including as well that part of said land which is not covered with such building, erection, or other improvement, as that part thereof which is covered with the same, shall be subject to all liens created by this chapter, to the extent, and only to the extent, of all the right, title, and interest owned therein by the owner or proprietor of such building, erection, or other improvement for whose immediate use or benefit the labor was done,

or things were furnished; and when the interest owned in such land, by such owner or proprietor of such building, erection, or other improvement, is only a leasehold interest, the forfeiture of such lease for the non-payment of rent, or non-compliance with any of the other stipulations therein, shall not forfeit or impair such liens so far as concerns the buildings, erections, and improvements thereon put by such owner or proprietor charged with such lien, but such building, erection, or improvement may be sold to satisfy said lien, and be moved, within twenty days after the sale thereof, by the purchaser.

SEC. 829. The liens aforesaid, or work, shall attach to the buildings, erections, or improvements for which they were furnished, or the work was done, in preference to any prior lien, or incumbrance, or mortgage upon the land upon which said buildings, erections, or improvements have been erected or put; and any person enforcing such lien may have such building, erection or improvement sold under execution, and the purchaser may remove the same within a reasonable time thereafter.

SEC. 830. Any person having a lien under or by virtue of this chapter may bring suit to enforce the same, and to obtain the benefits thereof, in the district court of the county wherein the property on which the lien is attached is situated, without regard to its amount.

NOTE.—The remaining sections of this act are not essential to the purpose of the quotation, to wit, the fact of the existence and extent of this class of liens.

ART. II.—*Taxation of mines.*

Sec.
1047. Annual statements of persons owning or working mines.
1048. Credit for expenditures; improvements not exempt.
1049. Annual tax on net proceeds.
1050. Duty of assessor upon failure of owner to make statement.
1051. Limitation to assessable value of mines, etc.

SECTION 1047. That every person, corporation, or association engaged in mining upon any quartz vein or lode, or placer-mining claim, containing gold, silver, copper, or lead, is hereby required, between the first and tenth days of August in each year, to make out a statement of the gross yield of the above-named metals from each of such mine or mines being owned or worked by such person, corporation, or association during the year next preceding the first day of August in each year, and the value thereof, which said statement shall be verified by the oath of such person, or the superintendent or managing agent of such corporation or association, and deliver the same to the assessor of the county in which such mine or mines are situated between the dates above mentioned. That said statement, verified as above provided, shall also contain a true and correct amount of the actual expenditures of money and labor in and about extracting such ore, the reduction thereof, and the conversion of the bullion derived therefrom into money or its equivalent during such year.

SEC. 1048. That in making the statement of the expenditures mentioned in the foregoing section such person, corporation, or association shall be allowed to include therein all sums of money that have been expended for necessary labor, machinery, supplies of every kind and character needed and used in his or its mining operations, for improvements actually necessary in and about the working of such mine or mines, reducing the ores therefrom, and expended in and about the construction of mills or reduction-works used and operated in connection with said mine or mines for the purpose of reducing and extracting the precious metals therefrom, and shall not include any money invested in said mines or improvements made on the same during any year except the year immediately preceding such statement: *Provided*, That nothing herein contained shall exempt such improvements, mills, reduction-works, and supplies from taxation as now provided by law: *Provided*, That the expenditures referred to herein shall not include the salaries, or any portion thereof, of the officers of any corporation not actually engaged in the working of such mine or mines, or personally superintending the management thereof.

SEC. 1049. That a tax shall be levied annually upon the net proceeds of all mines above named, such net proceeds to be ascertained and determined in the manner provided in the foregoing sections of this article; and that such tax shall be collected and the payment thereof enforced as now provided by law for the collection of other taxes.

SEC. 1050. That if any person, corporation, or association engaged in the kind of mining named in this article shall refuse or neglect to make and deliver to the assessor of the county where his or their mines are situated the statement mentioned in sections 1047 and 1048 of this article, during the time herein specified, the assessor of such county is hereby authorized and empowered, and it is hereby made his duty, to proceed to fix and assess, according to his best knowledge and information, the amount upon which the tax mentioned in section 1049 of this article shall be levied, in the manner now provided by law relating to the assessment of other property, and shall add a like penalty of twenty per centum to the amount and value thereof.

SEC. 1051. That from and after the passage of this article no direct tax shall be levied upon any placer-claim, quartz-lead, or lode except to the extent of the price paid for any mining-claim in obtaining patent therefor from the government of the United States, and the only taxation of the proceeds thereof shall be that provided in this article: *Provided*, That this article shall not be so construed as to exempt from taxation improvements consisting of buildings, erections, or machinery placed upon any quartz-lead or lode or used in connection therewith: *Provided further*, That the assessor shall, at the time of assessing any person, firm, corporation, or association, have the

power to examine the books and accounts of said person, firm, corporation, or association, to fully satisfy said assessor that he has been furnished with a truthful report; and if satisfied from such examination that the report is false, he shall assess the same at the true amount of the net proceeds, so near as he can arrive at the same: *Provided*, That no one, by virtue of the provisions of this article, shall be deprived of his right to appear before the proper board of equalization as other taxpayers under existing laws.

CHAP. II.—FORCIBLE ENTRY AND UNLAWFUL DETAINER.

Sec.
696. Forcible entry and detainer, what constitutes.
697. Any justice of the peace authority to inquire into.
698. Justice to issue summons when complaint made.
699. Summons, upon whom served.
700. Justice to hear complaint after return of summons.
701. Trial, when postponed.
702. Testimony to be taken in same manner as in other cases.
703. Trial.
704. If defendant found guilty, punishment and costs.
705. If jury cannot agree.
706. Damages, how assessed.
707. If rent of land not paid, defendant to quit possession.
708. Preceding section, whom not to apply to.
709. Juror or witness not appearing, to be fined.
710. Appeals.
711. Appeals to be tried in district court.
712. Amendments to complaint.
713. Rules and regulations to apply as in other cases

SEC. 696. No person or persons shall hereafter make any entry into lands, tenements, or other possessions, or by entering upon any gulch mining-claim, or quartz-lode mining-claim, or other mining-claim, in the temporary absence of the party or parties in possession, or by entering peaceably, and the turning out by force, or frightening by threats, or other circumstances of terror, the party or parties out of possession, and detain and hold the same. In every such case the person so offending shall be deemed guilty of a forcible entry and detainer within the meaning of this act; but not in cases where entry is given by law, and in such cases not with strong hand nor with multitude of people, but only in a peaceable manner; and if any person from henceforth do the contrary, and thereof be duly convicted, he shall be punished by fine.

SEC. 697. Any justice of the peace shall have authority to inquire as hereinafter directed, as well as against those who make unlawful or forcible entry into lands, tenements, or other possessions, and detain the same, as against those who, having lawful and peaceable entry into lands, tenements, or other possessions, unlawfully detain the same; and if it be found, upon such inquiry, that an unlawful or forcible entry hath been made, or that the said lands, tenements, or other possessions, after a lawful entry, are held unlawfully, then such justice shall cause the party complaining to have restitution thereof.

SEC. 698. When any complaint shall be made in writing to any justice of the peace of any such unlawful or forcible entry or unlawful detainer, said justice shall issue a summons, directed to the sheriff or any constable of the county, commanding him to summon the person or persons against whom such complaint shall have been made to appear before said justice on a day named in the summons, which shall not be more than ten days from the issuing of such summons, and at the place therein mentioned.

SEC. 699. Such summons shall be served upon the person or persons against whom the same is issued as other summons are served issued by a justice, at least four days before the return day thereof, and the officer serving the same shall make return of the time and manner of such service.

SEC. 700. After the return of the summons, served as hereinbefore provided, and at the time and place appointed in said summons, the justice shall proceed to hear and determine said complaint, unless either party demand a jury, in which case a jury shall be summoned in the same manner and on the same terms, and the trial shall be had as in other cases of trial by jury before a justice.

SEC. 701. If, at the time set for trial, the defendant, his agent, or attorney shall make oath that he cannot safely proceed to trial for want of some material witness, naming him, that he has made due exertion to obtain such witness or his testimony, and believes if an adjournment be allowed he will be able to procure the testimony of such witness, in which case, if such person or persons will give bond, with sufficient surety, conditioned to pay the said complainant for all rent that may accrue during the pending of such suit, and all costs and damages consequent upon such adjournment, the said justice shall adjourn said cause for such reasonable time as may appear necessary, not exceeding one month.

SEC. 702. The testimony of any witness which may be considered necessary by either party may be taken in the same manner and with like effect as is provided for the taking of testimony in other cases in justices' courts.

SEC. 703. On the trial the complainant shall only be required to show, in addition to the forcible entry or detainer complained of, that he was peaceably in actual possession at the time of the forcible entry, or was entitled to the possession of the premises at the time of the unlawful holding over. The defendant may show in his defense that he or his ancestors, or those whose interest in such premises he claims, have been in quiet possession thereof for the space of one whole year together next before the said inquisition, and that his interest therein is not yet ended or determined; and such showing shall be a bar to the prosecution; and in no case where the title to land is involved shall a justice of the peace have cognizance.

SEC. 704. If upon the trial upon any complaint under this act the justice or jury shall find the defendant or defendants, or either of them, guilty of the allegations of the complaint, said justice shall enter judgment for the complainant to have restoration of the premises, and shall impose such fine, not exceeding one hundred dollars, considering all the circumstances, as he may deem just, and shall tax the costs for the complainant, and may issue execution therefor; and the said justice shall award and issue a writ of restitution. But if the said justice or jury find that the person complained of is not guilty, the justice shall tax the costs against the complainant and issue execution therefor.

SEC. 705. If the jury impaneled cannot agree upon a verdict, the justice may, with the consent of the parties, discharge them and issue a *venire*, returnable forthwith, or at some other time agreed upon by the parties.

SEC. 706. In all cases of a verdict by the justice or jury for the complainant the damages shall be assessed as well for the waste and injury committed upon the premises as for the rents and profits during such detainer; and the verdict shall also find the monthly rents and profits of the said premises, and the complainant shall be entitled to recover treble damages against the person against whom the judgment has been rendered, which damages shall be assessed by the justice or jury, and when so assessed shall be trebled by said justice and entered as a judgment in the cause, upon which execution may issue.

SEC. 707. When any person shall hold over any lands, tenements, or other possession, after the termination of the time for which they are demised or let to them, or to the person under whom they hold possession, or contrary to the covenants or conditions of the lease or agreement under which they hold, or after any rent shall become due according to the terms of the lease or agreement, and shall remain unpaid for the space of three days, in all such cases, if the lessor, his heirs, executors, administrators, assigns, agent, or attorney shall make demand in writing of such tenant that they shall deliver possession of the premises held as aforesaid, and if such tenant shall refuse or neglect for the space of three days after such demand to quit the possession of such lands or tenements, or to pay the rent thereof due and unpaid as aforesaid, upon complaint thereof to any justice of the peace of the proper county, the justice shall proceed to hear, try, and determine the same in the same manner as in other cases hereinbefore provided for, but shall impose no fine in any such case mentioned in this section.

SEC. 708. The preceding section shall not extend to any person who has or who shall have continued in possession one year after the termination of the time for which the premises were demised, or leased, or let to them, or those under whom they hold possession, or to any person who continues in possession three years quietly and peaceably.

SEC. 709. Every person summoned as a juror, or subpœnaed as a witness, who shall not appear, or who, appearing, shall refuse to serve or give evidence in any prosecution instituted under this act, shall forfeit and pay for every such default or refusal, to the use of the county, unless some reasonable cause be assigned, such fine, not exceeding twenty dollars, as the said justice shall think proper to impose, and execution may be issued therefor.

SEC. 710. Appeals may be taken from all judgments rendered under this act to the district court, under the same rules and restrictions as to notice, appeal bond, and other matters, as are required on appeals from justices' courts in other cases; but in case such appeal be taken by the defendant, the undertaking shall contain an additional condition to the effect that he will pay to the plaintiff all rents, profits, and other damages that may accrue during the pendency of the appeal. If the appeal should be decided against him beyond the filing of the appeal bond, all proceedings shall be stayed.

SEC. 711. Such appeals shall be tried in the district court as other appeals from justices' courts are tried.

SEC. 712. Amendments to the complaint, answer, or other proceedings in matters of form only may be allowed by the justice or the district court, on appeal, at any time before judgment, upon such terms as may be just, and all matters of excuse, justification, or evidences of allegations in the complaint may be given in evidence under the answer.

SEC. 713. All rules and regulations relating to trial before justices of the peace in other cases, and not inconsistent with the provisions of this title, shall be applicable, and be observed in trials arising under this title.

CHAP. XVIII.—MISCELLANEOUS PROVISIONS.

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SECTION 461. In all cases when a person shall be arrested for any criminal offense, his real estate and mining-claims shall be liable for the payment of any judgment imposing any fine or costs upon such person, and such judgment shall be a lien on such real estate or mining-claims from the time of such arrest.

SEC. 462. The real estate and mining-claims of all persons who sign or enter into any recognizance for the appearance of any person charged with any criminal offense shall, if such recognizance be forfeited, be liable for the payment of any judgment which may be recovered thereon, and such judgment is hereby declared to be a lien upon such property from date of recognizance. Nothing in either of the above sections shall be construed so as to prohibit the issuing of execution and the enforcing of the collection thereof out of any other property of the defendant's than above enumerated.—(Rev. Stats., 1879, p. 343.)

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CHAP. XI.—OFFENSES COMMITTED BY CHEATS, SWINDLERS, AND OTHER FRAUDULENT PERSONS.

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SECTION 167. If any owner, manager, or agent of any species of quartz-mill, arrastra, furnace, or cupel employed in extracting gold from quartz, pyrites, or other minerals, who shall neglect or refuse to account for or pay over and deliver all the proceeds thereof to the owner of such quartz, pyrites, or other minerals, excepting such portion of said proceeds as he is entitled to in return for his services, he shall, on conviction, be fined in any sum not exceeding one thousand dollars, or imprisoned not more than one year, or both, at the discretion of the court, for each such offense.—(Rev. Stats., 1879, p. 386.)

CODE OF CIVIL PROCEDURE.

CHAP. I.—THE EXECUTION.

TITLE IX.—*Of the execution of the judgment in civil actions.*

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SECTION 310. The following property shall be exempt from execution, except as herein otherwise provided;

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Second. To a mechanic or artisan: Tools or implements necessary to carry on his trade.

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Fifth. To a miner: His cabin or dwelling, not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlasses, derrick, cars, pump, tools, implements, and appliances necessary for carrying on any kind of mining operations, not exceeding in value the aggregate sum of five hundred dollars, and one horse, mule, or two oxen, with their harness, and food for such horse, mule, or oxen for three months, when necessary to be used for any whim, windlass, derrick, car, pump, or hoisting gear.—(Rev. Stats., 1879, p. 97.)

EXTRAORDINARY SESSION, 1879.

FOREIGN INCORPORATIONS.

AN ACT concerning foreign incorporations. (Approved July 22, 1879, p. 8.)

SECTION 1. That all foreign incorporations or joint-stock companies, organized under the laws of any state or territory of the United States, or by virtue of any special act or acts of the legislative assembly of any such state or territory, or of any foreign government, shall, before doing business of any kind, nature, or description whatever within this territory, file in the office of the secretary of the territory, and in the office of the county recorder of the county wherein they intend to carry on or transact business, a duly-authenticated copy of their charter or certificate of incorporation, and also a statement, to be verified by the oath of the president and secretary of such incorporation, and attested by a majority of its board of directors, showing:

First. The name of such incorporation and the location of its principal office or place of business without this territory; and if it is to have any place of business or principal office within this territory, the location thereof.

Second. The amount of its capital stock.

Third. The amount of its capital stock actually paid in money.

Fourth. The amount of its capital stock paid in any other way, and in what.

Fifth. The amount of the assets of the incorporation, and of what [the] assets consist, with the actual cash value thereof.

Sixth. The liabilities of such incorporation, and if any of its indebtedness is secured, how secured, and upon what property. Such incorporation or joint-stock company shall also file, at the same time and in the same offices, a certificate under the seal of the corporation, and the signature of its president, vice-president, or other acting head, and its secretary, if there be one, certifying that the said corporation has consented to be sued in the courts of this territory upon all causes of action arising against it in this territory, and that service of process may be made upon some person a citizen of this territory, whose name and place of residence shall be designated in such certificate, and that process, when so served upon such agent, shall be taken, deemed, and held to be as valid to all intents and purposes as if served upon the company in the state or territory under the laws of which it is organized.

SEC. 2. The written consent of the person so designated to act as such agent shall also be filed in like manner, and such designation shall remain in force until the filing in the same offices of a written revocation thereof, or of the consent, executed in like manner. The person designated may from time to time change his place of residence or office to some other place within the territory by a writing executed by him and filed in like manner. An exemplified copy of a designation so filed, accompanied with a certificate that it has not been revoked, is presumptive evidence of the execution thereof, and conclusive evidence of the authority of the officer executing it.

SEC. 3. All foreign incorporations now doing business within this territory shall, within four months from and after the publication of this act in the newspaper having the contract to do the public printing in this territory, file in the office of the secretary and in the office of the county recorder of the county wherein they are, respectively, doing business, the statement and certificate required to be filed by the first section of this act. If any such corporation shall fail, for more than four months from the said publication hereof, so to file said statements and certificates, or any or either thereof, or if any foreign incorporation shall hereafter attempt or commence to do business in this territory without having first filed said statements and certificates required by this act, [it] shall forfeit to the people of Montana the sum of ten dollars for every day it shall so neglect to file the same, and all acts and contracts made by such incorporation, or any agent or agents thereof, during the time it shall so fail and neglect to file said statement and certificates, shall be void and invalid as to such incorporation. It shall be the duty of the district attorney of the county in which the business of such corporation shall be located to sue for and recover, in the name of the people of the territory, the penalty above provided, and the same, when so recovered, shall be paid into the treasury of such county, for the use of the common schools therein.

SEC. 4. Every such incorporation shall, annually, and within twenty days from the first day of September of each year, make a report, which shall be in the same form and contain the same information as required in the statement mentioned in the first section of this act, which report shall be filed in the office of the county recorder of the county wherein the business of said corporation is carried on, and a duplicate thereof in the office of the secretary of the territory.

SEC. 5. That sections forty-six and forty-seven of Chapter XVIII of an act entitled "An act revising, re-enacting, and codifying the general and permanent laws of Montana territory", approved January 12, 1872, and all acts and parts of acts in conflict herewith, be, and the same are hereby, repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

GENERAL LAWS, 1881.

AN ACT to amend the Code of Civil Procedure. (Approved February 23, 1881; Sess. Laws, 1881, p. 8.)

SECTION 8. That there be added to Chapter III of Title IX of said code the following additional section, to wit:

"SEC. 363 A. Whenever any person shall have any right to, or interest in, any lead, lode, or mining-claim which is in the possession of another person, and it shall be necessary, for the ascertainment, enforcement, or protection of such right or interest, that an inspection, examination, or survey of such mine, lode, or mining-claim should be had or made, or whenever any inspection, examination, or survey of any such lode or mining-claim shall be necessary to protect, ascertain, or enforce the right or interest of any person in another mine, lead, lode, or mining-claim, and the person in possession of the same shall refuse, for a period of three days after demand therefor in writing, to allow such inspection, examination, or survey to be had or made, the party so desiring the same may present to the district court, or a judge thereof, of the county wherein the mine, lead, lode, or mining-claim is situated, a petition, under oath, setting out his interest in the premises, describing the same, that the premises are in the possession of a party, naming him, the reason why such examination, inspection, or survey is necessary, the demand made on the person in possession so to permit such examination, inspection, or survey, and his refusal so to do. The court or judge shall thereupon appoint a time and place for hearing such petition, and shall order notice thereof to be served upon the adverse party, which notice shall be served at least one day before the day of hearing. On the hearing either party may read affidavits, and if the court or judge is satisfied that the facts stated in the petition are true, he shall make an order for an inspection, examination, or survey of the lode or mining-claim in question, in such manner, at such time, and by such persons as are mentioned in the order. Such persons shall thereupon have free access to such mine, lead, lode, or mining-claim for the purpose of making such inspection, examination, or survey, and any interference with such persons while acting under such order shall be a contempt of court. If the order of the court is made while an action is pending between the parties to the order, the costs of obtaining the order shall abide the result of the action, but all costs of making such examination or survey shall be paid by the petitioner"

AN ACT concerning property subject to taxation. (Approved February 22, 1881; Sess. Laws, 1881, p. 67.)

SECTION 1. That section 1003, Chapter LIII, of the fifth division of Revised Statutes shall be amended so as to read as follows:

"SEC. 1003. All other property, real or personal, within the territory is subject to taxation in the manner herein directed, and this is intended to embrace * * * ditches and flumes, * * * money in coin or gold dust, whether in possession or on deposit, * * * stocks or shares in any bank or company, incorporated or otherwise, and whether incorporated by this or any other territory or state, or whether situated in the territory or not, except that where the entire capital stock of any incorporated company shall be invested in assessable property in the territory of Montana, such stock shall not be taxed".

* * * * * * * * *

NEVADA.

COMPILED LAWS OF 1861-1873.

AN ACT empowering corporations and associations for mining to sue individual members. (Approved December 19, 1862, vol. 1, p. 32.)

SECTION 1. Corporations and associations and companies formed for mining purposes are hereby authorized, in their corporate or associated name, to institute suits against any one or more of their members who may be delinquent in the payment of their assessments.

SEC. 2. Before such suit is brought, before any court having jurisdiction of the amount, such delinquent, and the amount he may owe, and the intention to institute suit thereon shall be advertised in a newspaper published in the county where the mining-claim is located, and if no newspaper be published in such county, then in a newspaper published in the nearest adjoining county, for at least once a week for one month before such suit is instituted.

SEC. 3. It shall be proved on the trial of such suit that the trustees or managing agents of said corporation or association or company were fully authorized to institute such suit by a majority of the members of said corporation or association or company.

SEC. 4. The members of such corporation, association, or company shall be competent witnesses to establish the assessment and indebtedness of the delinquent member.

SEC. 5. This act shall apply only to such corporations, associations, and companies who are actually engaged in mining, and for delinquency in assessments for mining.

AN ACT for the encouragement of mining. (Approved March 7, 1865, vol. 1, p. 33.)

SECTION 1. When three or more persons, owning or claiming, as joint tenants, tenants in common, or coparceners, a majority of the number of feet, shares, or interests in any mining-claim in this state, shall have formed, or shall hereafter form, themselves into a corporation or organized association for the purpose of working and developing such mining-claim, and shall actually proceed to work and develop the same, such corporation or association may, without demand, except by commencement of action, institute, in any court of competent jurisdiction, suit in its corporate or associate name, as upon an implied contract for the payment of money, against any person not a stockholder in or member of such corporation or association, owning or claiming to own the said mining-claim as joint tenant, tenant in common, or coparcener, for his or her proportion of the money actually expended or indebtedness assumed by such corporation or association in the actual and necessary working and development of said mining-claim.

SEC. 2. The proportion of money expended or indebtedness assumed by such corporation or association, and for the payment of which such joint tenant, tenant in common, or coparcener is made liable under the provisions of this act, shall be deemed such an amount of money or indebtedness as bears the same proportion to the whole amount of money expended or indebtedness assumed as the interest in the mining-claim owned or claimed by such joint tenant, tenant in common, or coparcener bears to the whole of the mining-claim.

SEC. 3. Any number of such joint tenants, tenants in common, or coparceners may be joined as parties defendant in any suit instituted under the provisions of this act; but each defendant shall be entitled to plead separately, and when the cause shall be tried by jury, as many of the separate issues of fact as may be agreed upon by the parties may be determined by the same jury. Judgment shall be rendered for or against each defendant separately, and the costs of suit may be apportioned among the several parties defendant against whom judgment may be rendered in such manner as to the court may appear just and equitable: *Provided*, That in all cases the defendant, prior to the institution of suit under the provisions of this act, shall be entitled to three weeks' notice of the intention of such corporation or association to institute such suit, which notice may be either personally or by publication in some newspaper published in the county within which such mining-claim is located, and if none be published in said county, then in the nearest adjoining county.

SEC. 4. The summons shall specify, first, the amount of money actually expended or indebtedness assumed by such corporation or association in the actual and necessary working and development of said mining-claim; and, second, the amount due from each joint tenant, tenant in common, or coparcener as his or her proportion of such money or indebtedness.

SEC. 5. All suits instituted under the provisions of this act shall be brought in the county within which the mining-claim may be located; and where the defendant is a non-resident of the county within which suit is brought, but a resident of the state, service of summons may be had personally, as in other cases, or by publication in the same manner as provided by law for service of summons by publication where the defendant is a non-resident of the state and a resident of the state of California; and all of the provisions of law regulating proceedings in other civil cases shall, so far as the same are applicable, apply to suits instituted under this act.

SEC. 6. The amount of money expended or indebtedness assumed by such corporation or association as the

proportion due from such joint tenant, tenant in common, or coparcener, for the actual and necessary working and development of said mining-claim, shall be a lien in favor of such corporation or association upon the interest of such joint tenant, tenant in common, or coparcener in such mining-claim from the time such money was expended or indebtedness assumed by such corporation or association; which lien shall bind such interest from the time of such payment or assumption as against any subsequent purchaser, mortgagee, or other person acquiring a lien upon, or title to, or interest in the same. Suit may be instituted against the person owning or claiming such interest at the time of the commencement of the action for the recovery of the whole amount due upon such interest; and all judgments rendered in any action instituted under the provisions of this act, and any execution issued thereon, shall bind and run against such interest, and no other property of the defendant shall be subject to execution on said judgment.

SEC. 7. All sales of any interest in a mining-claim under an execution issued on a judgment obtained in any suit instituted under the provisions of this act shall be absolute, and the purchaser shall be entitled to the immediate possession of the interest purchased by him at such sale.

SEC. 8. An act entitled "An act for the encouragement of mining", passed by the legislative assembly of the territory of Nevada, approved February twentieth (20th), eighteen hundred and sixty-four (1864), is hereby repealed, and all rights of action accrued under said act shall be commenced and prosecuted under the provisions of this act: *Provided*, That such repeal shall not in any manner affect any action already commenced under said act, but all such actions shall be prosecuted thereunder the same as though said act was not hereby repealed.

AN ACT to amend an act of the legislative assembly of the territory of Nevada, entitled "An act for the encouragement of mining", approved February twentieth, eighteen hundred and sixty-four (Sess. Laws, 1864, p. 53). (Approved March 9, 1865; Sess. Laws, 1865, p. 135.)

SECTION 5. This act shall apply to all corporations or associations actually engaged in mining in this state, whether formed under the laws of any other state, country, or territory, or having their principal place of business out of this state, or whose trustees, managing agents, or directors, or a majority thereof, reside out of the state.

NOTE.—The act which this amends was repealed by act of March 7, 1865 (Comp. Laws, vol. 1, p. 35).

AN ACT to provide for the condemnation of real estate and other property required for mining purposes. (Approved March 3, 1866; Comp. Laws, vol. 1, p. 42.)

SECTION 1. Whenever any real estate or other property in this state is or becomes necessary for the convenient and successful working of a mining-claim, and the person or persons owning or possessed of the same refuse to sell or convey the same to any person, mining company, or corporation needing the same for mining purposes at such valuation or price as such person, company, or corporation may deem reasonable and just, said person, mining company, or corporation shall select one appraiser, and said owner or owners shall select one: *Provided*, That if the owner or owners of such property as aforesaid shall refuse or fail to appoint or select an appraiser, as provided for in this section, it shall be the duty of the district court to appoint such appraiser, and the two so selected shall select a third, and the three shall appraise the real estate or property sought to be appropriated, after having been first sworn, before some officer entitled to administer oaths, to make a true appraisement thereof to the best of their knowledge and ability. Within five days after the report of said appraisers, notice of which shall be given to both parties, the person or persons owning the property shall deliver to the person, company, or corporation requiring said property a good and sufficient deed or conveyance of the premises, upon the payment of the amount named in the report of the appraisers; and upon such person or persons failing so to do, it shall be lawful for the person, company, or corporation requiring said property as aforesaid to petition the district court of the judicial district within which said real estate or other property is situated for a condemnation and sale of the same to such person, mining company, or corporation.

NOTE.—See act to encourage the mining, milling, smelting, or other reduction of ores in the state of Nevada, approved March 1, 1875, which superseded this act.

SEC. 2. Said petition shall set forth, amongst other things, that said real estate or property, particularly describing the same, is needed by said person, mining company, or corporation for the convenient and successful working of his, or their, or its mining-claim or ground, owned or possessed by said person, company, or corporation, or for the erection of buildings, roads, or works, to be used in working the same, the fair valuation of such real estate or other property so needed and sought to be condemned; that petitioner has tendered the amount of its value to the defendant or defendants, their agents, or other legal representatives before the commencement of the action, or caused it to be done; that the defendant or defendants, their agents, or legal representatives have refused to accept the sum so tendered; and shall conclude with a prayer that the defendant or defendants be summoned to appear in the action, and show cause, if any can be shown, why the said property should not be by the court condemned, and he or they, said defendants, be compelled to convey and deliver a deed of the same to said petitioner or petitioners.

SEC. 3. At the time of the commencement of the action the petitioner or petitioners shall pay, or cause to be paid, to the clerk of the district court the sum or amount of money so tendered to the defendant or defendants before the commencement of the action, and the same shall remain in the custody of the clerk for and on behalf of the defendant or defendants in said action, and subject to his or their acceptance until the said cause is tried and determined.

SEC. 4. Upon the trial of the cause either party shall be entitled, if demanded, to a trial by jury, as in civil cases at law, and upon the trial it shall be made satisfactorily to appear that said real estate or other property is necessary for the convenient and successful working of the mining-claim or ground mentioned in the petition, in order to entitle the plaintiff or plaintiffs in said action to recover; and, if said fact satisfactorily appear from the evidence, said court (if the same is tried without the intervention of a jury), or the jury before whom said cause is tried, shall proceed in the same action to assess and determine the value of said real estate or other property at the time of the institution of said action; and upon the payment of said sum or amount of money by the petitioner to the defendant or defendants in said action, or to the clerk of said court, for his or their use, said petitioner or petitioners shall be entitled to have and recover a judgment and decree of said court in its, his, or their favor, condemning said real estate or other property to his, its, or their own sole use and possession, and shall direct and decree that the defendant or defendants, or in their stead a commissioner (to be appointed for such purpose by the court), proceed to make, execute, acknowledge, and deliver to the plaintiff or plaintiffs in said action a deed or conveyance thereof.

SEC. 5. Costs in said action, except the costs of making, executing, and delivering the deed of conveyance, shall abide the event of the suit, as in other cases: *Provided, however*, That in case the value of the land or other property so condemned shall not exceed the sum shown to have been originally tendered therefor, the defendant or defendants shall be liable for the costs of said action.

SEC. 6. The practice in actions brought under this act shall be governed by the same rules as other civil actions at law, except as is otherwise provided in this act.

AN ACT to provide for the conveyance of mining-claims. (Approved December 12, 1862; Comp. Laws, vol. 1, p. 96.)

SECTION 1. Conveyance of mining-claims shall hereafter require the same formalities and be subject to the same rules of construction as the transfers and conveyances of other real estate.

SEC. 2. All conveyances of mining-claims heretofore made by bills of sale or other instruments in writing, with or without seals, recorded or unrecorded, shall be construed in accordance with the lawful local rules, regulations, and customs of the miners in the several mining districts of this territory, and, if heretofore regarded valid and binding in such districts, shall have the same force and effect between the parties thereto, as *prima-facie* evidence of sale, as if such conveyances had been made by deed under seal.

SEC. 3. The location and transfers of mining-claims heretofore made shall be established and proved in contestation before courts by the local rules, regulations, or customs of the miners in the several mining districts of the territory in which such location and transfers were made.

AN ACT concerning records now in the custody of county recorders of this state. (Approved February 20, 1873; Sess. Laws, 1873, p. 63; Comp. Laws, vol. 1, p. 102.)

SECTION 1. All instruments of writing relating to mining-claims now copied into books of mining or other records now in the office of the county recorders of the several counties of this state shall, after the passage of this act, be deemed to impart to subsequent purchasers and incumbrancers, and all other persons whomsoever, notice of the contents thereof: *Provided*, That nothing herein contained shall be construed to affect any rights heretofore acquired or vested.

SEC. 2. Copies of the records of all such instruments mentioned in section one of this act, duly certified by the recorder in whose custody such records are, may be read in evidence under the same circumstances and rules as are now or may hereafter be provided by law for using copies of instruments relating to mining-claims or real estate, duly executed or acknowledged, or proved and recorded.

AN ACT concerning conveyances of mining locations and claims by minors. (Approved February 27, 1869; Sess. Laws, 1869, p. 96; Comp. Laws, vol. 1, p. 101.)

SECTION 1. In all cases in this state, since the first day of July, A. D. eighteen hundred and sixty-seven, where minors over the age of eighteen years have sold interests acquired by them in mining-claims or locations by virtue of their having located such claims, or having been located therein by others, and have executed deeds purporting to convey such interests, such deeds, if otherwise sufficient in law, shall be held valid and sufficient to convey such interest fully and completely, notwithstanding the minority of the grantor, and without any power or right of subsequent revocation: *Provided*, That this section shall not apply to cases where any fraud was practiced upon such minor, or any undue or improper advantage was taken by his purchaser or any other person to induce such

minor to execute such deed: *And provided further*, That this section shall not apply to or affect any suits which may now be pending in any courts of this state in which the legality or validity of such deeds may be involved.

SEC. 2. All minors in this state over the age of eighteen years are hereby authorized and empowered to sell and convey by deed such interests as they may have acquired, or may hereafter acquire, in mining-claims or mining locations within this state, by virtue of locating the same, or being located therein, and such deed shall, if otherwise sufficient in law, be held valid and sufficient to convey such interest fully and completely, and without the right of subsequent revocation, notwithstanding the minority of the grantor, subject, however, to the same provisions and limitations contained in the first section of this act.

AN ACT defining the time of commencing civil actions. (Approved November 21, 1861; Sess. Laws, 1861, p. 26; Comp. Laws, vol 1, p. 243.)

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SECTION 4. No action for the recovery of mining-claims or for the recovery of the possession thereof shall be maintained unless it appear that the plaintiff or those through or from whom he claims were seized or possessed of such mining-claim or were the owners thereof, according to the laws and customs of the district embracing the same, within two years before the commencement of such action. Occupation and adverse possession of a mining-claim shall consist in holding and working the same in the usual and customary mode of holding and working similar claims in the vicinity thereof. All the provisions of this act which apply to other real estate, so far as applicable, shall be deemed to include and apply to mining-claims: *Provided*, That in such application "two years" shall be held to be the period intended whenever the term "five years" is used: *And provided further*, That when the terms "legal title" or "title" are used, they shall be held to include title acquired by location or occupation, according to the usages, laws, and customs of the district embracing the claim.

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AN ACT concerning the determination of conflicting rights to mining-claims in certain cases. (Approved February 10, 1873; Sess. Laws, 1873, p. 50; Comp. Laws, vol. 1, p. 452.)

SECTION 1. In all actions brought to determine the right of possession of a mining-claim or metalliferous vein or lode, where an application has been made to the proper officers of the government of the United States by either of the parties to such action for a patent for said mining-claim, vein, or lode, it shall only be necessary, to confer jurisdiction on the court to try said action and render a proper judgment therein, that it appear that an application for a patent for such mining-claim, vein, or lode has been made, and that the parties to said action are claiming such mining-claim, vein, or lode, or some part thereof, or the right of possession thereof.

CHAP. X.—OF POSSESSORY ACTIONS.

AN ACT prescribing the mode of maintaining and defending possessory actions on public lands in the state. (Approved March 9, 1865; Sess. Laws, 1865, p. 343; Comp. Laws, vol. 1, p. 25.)

SECTION 1. Any person now legally occupying and settled upon, or who may hereafter occupy or settle upon, any of the public lands in this state for the purpose of cultivating or grazing the same may commence and maintain any action for interference with or injuries done to his or her possession of said land against any person or persons so interfering with or injuring such land or possession: *Provided*, That if the lands so occupied and possessed contain mines of any of the precious metals, the possession or claim of the person or persons occupying the same for the purposes aforesaid shall not preclude the working of such mines by any person or persons desiring so to do as fully and unreservedly as they might or could do had no possession or claim been made for grazing or agricultural purposes.

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CHAP. XIV.—OF SECURITY FROM DANGER FROM EXCAVATIONS.

AN ACT to secure persons and animals from danger arising from mining and other excavations. (Approved February 8, 1866; Sess. Laws, 1866, p. 59; Comp. Laws, vol. 1, p. 39.)

Sec.
109. Safeguards to be erected.
110. Notice of violation of preceding section may be filed; what notice shall state.
111. Upon filing notice, the justice or judge to issue an order, etc.
112. What notice shall require; liable to fine in addition to judgment.
113. Suits to be in the name of the state.
114. County commissioners shall fence abandoned excavations; expenses, how paid.

(109.) SECTION 1. Any person or persons, company, or corporation who shall hereafter dig, sink, or excavate, or cause the same to be done, or being the owner or owners, or in the possession under any lease or contract, of any

shaft, excavation, or hole, whether used for mining or otherwise, or whether dug, sunk, or excavated for the purpose of mining, to obtain water, or for any other purpose, within this state, shall, during the time they may be employed in digging, sinking, or excavating, or after they may have ceased work upon or abandoned the same, erect or cause to be erected good and substantial fences or other safeguards and keep the same in good repair around such works or shafts, sufficient to securely guard against danger to persons and animals from falling into such shafts or excavations.

(110.) SEC. 2. Any person, being a resident of the county and knowing or having reason to believe that the provisions of section one of this act are being or have been violated within such county, may file a notice with any justice of the peace or police judge therein, which notice shall be in writing, and shall state: First, the location, as near as may be, of the hole, excavation, or shaft; second, that the same is dangerous to persons or animals, and has been left or is being worked contrary to the provisions of this act; third, the name of the person or persons, company, or corporation who is or are the owners of the same, if known, or if unknown, the persons who were known to be employed therein; fourth, if abandoned and no claimant; and, fifth, the estimated cost of fencing or otherwise securing the same against any avoidable accidents.

(111.) SEC. 3. Upon the filing of the notice, as provided for in the preceding section, the justice of the peace or judge of the police court shall issue an order, directed to the sheriff of the county or to any constable or city marshal therein, directing such officer to serve a notice, in manner and form as is prescribed by law for service of summons, upon any person or persons or the authorized agent or agents of any company or corporation named in the notice on file, as provided in section two of this act.

(112.) SEC. 4. The notice thus served shall require the said persons to appear before the justice or judge issuing the same, at a time to be stated therein, not more than ten nor less than three days from the service of said notice, and show, to the satisfaction of the court, that the provisions of this act have been complied with, or if he or they fail to appear, judgment will be entered against him or them for double the amount stated in the notice on file; and all proceedings had therein shall be as prescribed by law in civil cases; and such persons, in addition to any judgment that may be rendered against them, shall be liable and subject to a fine not exceeding the sum of one hundred dollars for each and every violation of the provisions of this act, which judgments and fines shall be adjudged and collected as provided for by law.

(113.) SEC. 5. Suits commenced under the provisions of this act shall be in the name of the state of Nevada, and all judgments and fines collected shall be paid into the county treasury for county purposes.

(114.) SEC. 6. If the notice filed with the justice of the peace or police judge, as aforesaid, shall state that the excavation, shaft, or hole has been abandoned, and no person claims the ownership thereof, said justice of the peace or judge shall notify the board of county commissioners of the county, or either of them, of the location of the same, and they shall, as soon as possible thereafter, cause the same to be so fenced or otherwise guarded as to prevent accidents to persons or animals; and all expenses thus incurred shall be paid, first, out of the fines and judgments collected in accordance with the provisions of this act, as other county expenses: *Provided*, That nothing herein contained shall be so construed as to compel the county commissioners to fill up, fence, or otherwise guard any shaft, excavation, or hole unless in their discretion the same may be considered dangerous to persons or animals.

CHAP. XVI.—OF THE PROTECTION OF MINES AND MINING-CLAIMS.

AN ACT for the protection of mines and mining-claims. (Approved December 17, 1862; Sess. Laws, 1862, p. 33; Comp. Laws, vol. 1, p. 41.)

Sec.
117. Actions for injuries sustained by mismanagement of adjacent companies.
118. Lien of judgment and continuation thereof.
119. Survey may be applied for; what affidavit shall state; notice of application, and how served; order of court; costs.

(117.) SECTION 1. Any person or persons, company, or corporation, being the owner or owners of or in possession, under lease or contract, for the working of any mine or mines within the territory of Nevada, shall have the right to institute and maintain an action, as provided by law, for the recovery of any damages that may accrue by reason of the manner in which any mine or mines have been or are being worked and managed by any person or persons, company, or corporation who may be the owner or owners or in the possession of and working such mine or mines under a lease or contract, and to prevent the continuance of the working and managing of such mine or mines in such manner as to hinder, injure, or by reason of tunnels, shafts, drifts, or excavations, the mode of using, or the character and size of the timbers used, or in anywise endangering the safety of any mine or mines adjacent or adjoining thereto.

(118.) SEC. 2. Any judgment obtained for damages under the provisions of this act shall become a lien upon all the property of the judgment debtor or debtors not exempt from execution in the territory of Nevada, owned by him, her, or them, or which may afterwards be acquired, as is now provided for by law, which lien shall continue two years, unless the judgment be sooner satisfied.

(119.) SEC. 3. Any person or persons named in the first two sections of this act shall have the right to apply for and obtain from any district court, or the judge thereof, within this territory, an order of survey, in the following manner: An application shall be made by filing the affidavit of the person making the application, which affidavit shall state, as near as can be described, the location of the mine or mines of the parties complained of, and, as far as known, the names of such parties; also the location of the mine or mines of the parties making such application, and that he has reason to believe, and does believe, that the said parties complained of, their agent, or employés are or have been trespassing upon the mine or mines of the party complaining, or are working their mine in such manner as to damage or endanger the property of the affiant. Upon the filing of the affidavit as aforesaid, the court or judge shall cause a notice to be given to the party complained of, or the agent thereof, which notice shall state the time, place, and before whom the application will be heard, and shall cite the party to appear in not less than five nor more than ten days from the date thereof, to show cause why an order of survey should not be granted; and, upon good cause shown, the court or judge shall grant such order, directed to some competent surveyor or surveyors, or to some competent mechanics, or miners, or both, as the case may be, who shall proceed to make the necessary examination as directed by the court, and report the result and conclusions to the court, which report shall be filed with the clerk of said court. The costs of the order and survey shall be paid by the persons making the application, unless such parties shall subsequently maintain an action and recover damages, as provided for in the first two sections of this act, by reason of a trespass or damage done or threatened prior to such survey or examination having been made; and in that case such costs shall be taxed against the defendant as other costs in the suit. The parties obtaining such survey shall be liable for any unnecessary injury done to the property in the making of such survey.

CHAP. CXIV.—OF THE FORMATION OF CORPORATIONS.

Sec.
3389. Purposes for which corporations may be formed; proviso.
3390. Formation.
3391. Evidence of incorporation.
3392. Powers and privileges.
3393. Board of trustees.
3394. Corporation not dissolved by failure to elect trustees; duty of officers when majority of trustees fail to qualify, etc.
3395. Quorum.
3396. First meeting.
3397. Transfer of stock.
3398. Powers of trustees; assessments; notice; sale of shares; public auction.
3399. Stocks held by executors.
3400. Pledge of stocks.
3401. Capital stock not to be reduced, etc.; proviso.
3402. Debts not to exceed amount of stock paid in; trustees liable for excess.
3403. Not to issue bills, etc.
3404. Trustees shall keep book for names of members.
3405. Penalty for making false entry.
3406. Change in capital stock.
3407. How made.
3408. Same.
3409. Powers of trustees after dissolution of company.
3410. Dissolution, how effected.
3411. Removal of place of business.
3412. Capital stock.
3413. To be governed by district mining laws; proviso.
3414. Trustees to convey property in dissolution of corporation.
3415. Acts repealed.
3416. Corporations may become stockholders.
3417. Illegal acts of corporations made valid.
3418. Not to impair vested rights.

AN ACT to provide for the formation of corporations for certain purposes. (Approved March 10, 1865; Sess. Laws, 1865, p. 359; Comp. Laws, vol. 2, p. 272.)

(3389.) SECTION 1. Corporations for manufacturing, mining, milling, ditching, mechanical, chemical, building, navigation, transportation, farming, banking, hotel and inn keeping, and ore-reduction purposes, or for the purpose of engaging in any other species of trade, business, or commerce, foreign or domestic, may be formed according to the provisions of this act, such corporations, and the members thereof, being subject to all the conditions and liabilities herein imposed, and to none others: *Provided*, That nothing in this section shall be so construed as to authorize the formation of banking corporations for the purpose of issuing or circulating money or currency within this state, except the federal currency and the notes of banks authorized under the laws of the Congress of the United States; nor shall bank notes or paper of any kind be permitted to circulate as money in this state, other than the federal currency and the notes of banks authorized by the laws of the Congress of the United States.

NOTE.—This act was amended February 27, 1869 (Sess. Laws, 1869, p. 95).

(3390.) SEC. 2. Any three or more persons who may desire to form a company for any one or more of the purposes specified in the preceding section may make, sign, and acknowledge before some person competent to take the acknowledgment of deeds, and file and have recorded in a book provided for that purpose, in the office of the clerk of the county in which the principal place of business of the company is intended to be located, and a certified copy, under the hand of the clerk and the seal of the court of said county, in the office of the secretary of state, a certificate, in which shall be stated the corporate name of the company, the object for which the same shall be formed, the amount of its capital stock, the time of its existence—not to exceed fifty years—the number of shares of which the capital stock shall consist, the number of trustees, and their names, who shall manage the concerns of the company for the first six months, and the name of the city, town, or locality, and county in which the principal place of business of the company is to be located.

(3391.) SEC. 3. A copy of any certificate of incorporation filed in pursuance of this act, and certified by the county clerk of the county in which it is filed, or his deputy, or by the secretary of state, shall be received in all the courts and places as *prima-facie* evidence of the facts therein stated.

(3392.) SEC. 4. When the certificate shall have been filed, the persons who shall have signed and acknowledged the same, and their successors, shall be a body corporate and politic, in fact and in name, by the name stated in their certificate, and by their corporate name have succession for the period limited, and power: First. To sue and be sued in any court having competent jurisdiction. Second. To make and use a common seal, and to alter the same at pleasure. Third. To appoint such officers, agents, and servants as the business of the corporation shall require; to define their powers, prescribe their duties, and fix their compensation. Fourth. To require of them such security as may be thought proper for the fulfillment of their duties, and to remove them at will, except that no trustee shall be removed from office unless by a vote of a majority of the stockholders, as hereinafter provided. Fifth. To purchase, hold, sell, and convey such real and personal estate as the purposes of the corporation shall require. Sixth. To make by-laws, not inconsistent with the constitution of this state or Constitution of the United States. Seventh. The management of its property, the regulation of its affairs, the transfer of its stock, and for carrying on all kinds of business within the objects and purposes of the company, as expressed in its articles of incorporation. Every corporation in this state shall have the power, whenever, at any assessment sale of the stock of said corporation no person will take the stock and pay the assessment thereon, to purchase such stock and hold the same for the benefit of the corporation. All purchases of its own stock by any corporation in this state which have been previously made at assessment sales whereat outside parties have failed to bid, and which purchases were for the amount of assessments due, and costs, or otherwise, shall be held valid, and as vesting the legal title to the same in said corporation. The stock so purchased shall be held subject to the control of the remaining stockholders, who may make such disposition of the same as they may deem fit. Whenever any portion of the capital stock of any corporation is held by the said incorporation by purchase, a majority of the remaining shares of stock in said incorporation shall be held to be a majority of the shares of the stock in said incorporated company for all purposes of election or voting on any question before a stockholders' meeting.

(3393.) SEC. 5. The corporate powers of the corporation shall be exercised by a board of not less than three trustees, who shall be stockholders in the company, who shall, before entering upon the duties of their office, respectively take and subscribe to an oath, as prescribed by the laws of this state, and who shall, after the expiration of the term of the trustees first selected, be annually elected by the stockholders, at such time and place within the state, and upon such notice, and in such manner, as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he or she may own or represent by proxy shares of stock, and the person or persons receiving the greatest number of votes shall be trustee or trustees. It shall be competent at any time for two-thirds of the stockholders of any corporation organized under this act to expel any trustee from office, and to elect another to succeed him. In all cases where a meeting of the stockholders is called for the purpose of expelling a trustee and electing his successor, such notice shall be given of the meeting as the by-laws of the company may require. Whenever any vacancy shall happen among the trustees, by death, resignation, or otherwise, except by removal, and the election of his successor as herein provided, it shall be filled by appointment of the board of trustees.

(3394.) SEC. 6. If it shall happen at any time that an election of trustees shall not be had on the day designated by the by-laws of the company, the corporation shall not for that reason be dissolved, but it shall be lawful on any other day to hold an election for trustees, in such manner as shall be provided for in the by-laws of the company, and all acts of the trustees shall be valid and binding on the company until their successors shall be elected. Whenever a majority of any newly-elected board of trustees shall fail to qualify and file in the office of the company their oath of office within thirty days from the day of their election, it shall be the duty of any officer of the company, upon the request of owners in said company representing not less than one-third of the capital stock of the corporation owned in the company, to call a meeting of the stockholders of said company, which meeting, when assembled, shall have power to elect trustees to supply the place of those who have failed to qualify; but such trustees may qualify and enter upon the duties of their office at any time after the said thirty days, if such meeting for a new election shall not have been called.

NOTE.—This act was amended February 24 (Stats. 1866, p. 79).

(3395.) SEC. 7. A majority of the whole number of trustees shall form a board for the transaction of business, and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

(3396.) SEC. 8. The first meeting of the trustees shall be called by a notice, signed by one or more of the persons named trustees in the certificate, setting forth the time and place of the meeting; which notice shall be either delivered personally to each trustee or published at least twenty days in some newspaper of the county in which is the principal place of business of the corporation, or if no newspaper be published in the county, then in some newspaper nearest thereto in the state.

(3397.) SEC. 9. Whenever the capital stock of any corporation is divided into shares, and certificates thereof are issued, the stock of the company shall be deemed personal estate. Such shares may be transferred by indorsement and delivery of the certificate thereof, such indorsement being by the signature of the proprietor, or his or her attorney or legal representative; but such transfer shall not be valid, except between the parties thereto, until the same shall

have been so entered upon the books of the corporation as to show the names of the parties by and to whom transferred, the number or designation of the shares, and the date of the transfer. In all cases in which shares of stock in corporations now existing, or hereafter incorporated under any law of this state, are held or owned by a married woman, such shares may be transferred by her, her agent, or attorney, without the signature of her husband, in the same manner as if such married woman were a *femme sole*. All dividends payable upon any shares of stock of a corporation held by a married woman may be paid to such married woman, her agent, or attorney in the same manner as if she were unmarried; and it shall not be necessary for her husband to join in receipt therefor. And any proxy or power given by a married woman, touching any share of stock of any corporation owned by her, shall be valid, and be binding without the signature of her husband, the same as if she were unmarried.

(3398.) SEC. 10. The stockholders of any corporation formed under this act may, in the by-laws of the company, prescribe the times, manner, and amounts in which the payment of the sums subscribed by them respectively shall be made; but in case the same shall not be so prescribed, the trustees shall have power to demand and call in from the stockholders the sums by them subscribed at such times and in such manner, payments, or installments as they may deem proper. In all cases notice of each assessment shall be given to the stockholders, personally or by publication once a week for at least four weeks in some newspaper published in the county in which the principal place of business of the company is located, and if none be published in such county, then in the newspaper nearest to said principal place of business in the state. If, after such notice has been given, any stockholder shall make default in the payment of the assessment upon the shares held by him, so many of such shares may be sold as will be necessary for the payment of the assessment upon all the shares held by him, her, or them. The sale of said shares shall be made as prescribed in the by-laws of the company, but shall in all cases be made at the office of the company. No sale shall be made except at public auction, to the highest bidder, after a notice of four weeks, published as above directed in this section; and at such sale the person who shall pay the assessment so due, together with the expenses of advertising and sale, for the smallest number of shares, or portion of a share, as the case may be, shall be deemed the highest bidder.

(3399.) SEC. 11. Whenever any stock is held by any person as executor, administrator, guardian, or trustee, he shall represent such stock at all meetings of the company, and may vote accordingly as a stockholder.

(3400.) SEC. 12. Any stockholder may pledge his stock by a delivery of the certificates, or other evidence of his interest, but may nevertheless represent the same at all meetings and vote as a stockholder.

(3401.) SEC. 13. It shall not be lawful for the trustees to make any dividend except from the net profits arising from the business of the corporation; nor to divide, withdraw, nor in any way pay to the stockholders, or any of them, any part of the capital stock of the company; nor to reduce the capital stock, unless in the manner prescribed in this act; and in case of any violation of the provisions of this section, the trustees under whose administration the same may have happened, except those who may have caused their dissent thereto to be entered at large on the minutes of the board of trustees at the time, or were not present when the same did happen, shall, in their individual and private capacities, be jointly and severally liable to the corporation, and the creditors thereof, to the full amount so divided, withdrawn, or reduced, or paid out: *Provided*, That this section shall not be construed to prevent a division and distribution of the capital stock of the company which shall remain after payment of all its debts upon the dissolution of the corporation or the expiration of its charter.

NOTE.—This act was amended March 3 (Stats. 1866, p. 188).

(3402.) SEC. 14. The total amount of debts of the corporation shall not at any time exceed the amount of capital stock actually paid in, and in case of an excess the trustees under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of trustees at the time, and except those not present when the same did happen, shall, in their individual and private capacities, be liable, jointly and severally, to the said corporation, and in the event of dissolution, to any of the creditors thereof, for the full amount of such excess.

(3403.) SEC. 15. No corporation organized under this act shall, by any implication or construction, be deemed to possess the power of issuing bills, notes, or other evidences of debt for circulation as money.

(3404.) SEC. 16. It shall be the duty of the trustees of every company incorporated under this act to keep a book containing the names of all persons, alphabetically arranged, who are or shall become stockholders of the corporation, and showing the number of shares of stock held by them respectively, and the time when they became the owners of such shares; which book, and all other books of the company, during the usual business hours of the day, on every day except Sunday and the legal holidays, shall be open for the inspection of stockholders of the company, at the office of the principal place of business of the company; and any stockholder or creditor of the company may have the right to demand and receive from the clerk, or other officer having the charge of such, a certified copy of any entry therein, or to demand and receive from any clerk or officer a certified copy of any paper placed on file in the office of the company; and such book or certified copy shall be presumptive evidence of the facts therein stated in any action or proceedings against the company, or any one or more of the stockholders.

(3405.) SEC. 17. If at any time the clerk or other officer having charge of such book shall make any false entry, or neglect to make any proper entry therein, or having the charge of any papers of the company, shall refuse or neglect to exhibit the same, or allow the same to be inspected, or extracts to be taken therefrom, or to give a certified copy of any entry, as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and shall forfeit

and pay to the party injured a penalty of not less than one hundred dollars, nor more than one thousand dollars, and all damages resulting therefrom, to be recovered in an action for debt in any court having competent jurisdiction in the county in which the principal place of business of the corporation is located.

(3406.) SEC. 18. Any company incorporated under this act may, by complying with the provisions herein contained, increase or diminish its capital stock to any amount which may be deemed sufficient and proper for the purposes of the corporation; but before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of debts and liabilities shall exceed the sum to which the capital is proposed to be diminished, such amount shall be satisfied and reduced so as not to exceed the diminished amount of the capital.

(3407.) SEC. 19. Whenever it is desired to increase or diminish the amount of capital stock, a meeting of the stockholders shall be called by a notice signed by at least a majority of the trustees, and published at least eight weeks in some newspaper published in the county where the principal place of business of the company is located, or if no newspaper is published in the county, then in some newspaper nearest thereto in the state, which notice shall specify the object of the meeting, the time and place where it is to be held, and the amount which it is proposed to increase or diminish the capital; and a vote of two-thirds of all the shares of stock shall be necessary to increase or diminish the amount of the capital stock.

(3408.) SEC. 20. If, at a meeting so called, a sufficient number of votes have been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital actually paid in, the whole amount of debts and liabilities of the company, and the amount to which the capital stock is to be increased or diminished, shall be made out, and signed and verified by the affidavit of the chairman and secretary of the meeting, certified to by a majority of the trustees, and filed as required by the second section of this act; and when so filed, the capital stock of the corporation shall be increasd or diminished to the amount specified in the certificate.

(3409.) SEC. 21. Upon the dissolution of any corporation formed under this act, the trustees at the time of the dissolution shall be trustees of the creditors and stockholders of the corporation dissolved, and shall have power and authority to sue for and recover the debts and property of the corporation, by the name of trustees of such corporation, collect and pay the outstanding debts, settle all its affairs, and divide among the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

(3410.) SEC. 22. Any corporation formed under this act may dissolve and disincorporate itself by presenting to the district judge of the district in which the office of the company is located a petition to that effect, accompanied by a certificate of its proper officers, setting forth that at a meeting of the stockholders, called for the purpose, it was decided by a vote of a majority of the stockholders to disincorporate and dissolve the incorporation. Notice of the application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in some newspaper of the county once a week for eight weeks, or if no newspaper is published in the county, by publication in the newspaper nearest thereto in the state. At the time or place appointed, or at any other time or place to which it may be postponed by the judge, he shall proceed to consider the application, and if satisfied that the corporation has taken the necessary preliminary steps and obtained the necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

(3411.) SEC. 23. Any corporation desiring at any time to remove its principal place of business into some other county in the state shall file in the office of the county clerk of such county a certified copy of its certificate of incorporation. If it is desired to remove its principal place of business to some other city, town, or locality within the same county, publication shall be made of such removal at least once a week for four weeks in the newspaper published nearest to the city, town, or locality from which the principal place of business of such corporation is desired to be removed. The formation or corporate acts of no corporation heretofore formed under this act shall be rendered invalid by reason of the fact that its principal place of business may not have been designated in its certificate of incorporation: *Provided*, That within six months from the passage of this act such corporation shall cause publication to be made once a week for at least four weeks in a newspaper published nearest to the city, town, or locality where the principal place of business of such corporation has in fact been located, designating the city, town, or locality and county where its principal place of business shall be located. On compliance with the provisions of this section, in the several cases herein mentioned, the principal place of business of any corporation shall be deemed established or removed at or to any designated city, town, or locality and county in the state.

(3412.) SEC. 24. In corporations already formed, or which may hereafter be formed under this act, where the amount of the capital stock of such corporation consists of the aggregate valuation of the whole number of feet, shares, or interest in any mining-claim in this state for the working and development of which such corporation shall be or has been formed, no actual subscription to the capital stock of such corporation shall be necessary, but each owner in said mining-claim shall be deemed to have subscribed such an amount to the capital stock of such corporation as under the by-laws will represent the value of so much of his or her interest in said mining-claim, the legal title to which he or she may, by deed, deed of trust, or other instrument, vest, or have vested, in such corporation for mining purposes, such subscription to be deemed to have been made on the execution and delivery to such corporation of such deed, deed of trust, or other instrument; nor shall the validity of any assessment levied, or which may hereafter be levied, by the board of trustees of such corporation, be affected by reason of the fact that

the full amount of the capital stock of such corporation, as mentioned in its certificate of incorporation, shall not have been subscribed as provided in this section: *Provided*, That the greater portion of said amount of capital stock shall have been subscribed: *And provided further*, That this section shall not be so construed as to prohibit the stockholders of any corporation formed, or which may be formed, for mining purposes, as provided in this section, from regulating the mode of making subscription to its capital stock and calling in the same by by-laws or expressed contract.

(3413.) SEC. 25. All corporations already formed, or which may hereafter be formed under this act, for mining purposes, shall be governed by the mining laws of the district where the mine is located: *Provided*, That the amount of money so expended in incorporating said company and the procuring of the necessary books for said corporation shall be deemed in law as so much money expended in working said claim.

(3414.) SEC. 26. When any mining incorporation, holding or working any mine or mines in this state, shall disincorporate under the provisions of this act, the board of trustees of said corporation shall convey by deed to the stockholders of said company all mines and other property of said corporation, in proportion to the amount of stock each stockholder shall hold in the mine or mines and other property owned by said corporation, which deed shall be recorded in the office of the county recorder of the county in which the mine is located.

(3415.) SEC. 27. An act entited "An act to provide for the formation of corporations for certain purposes", approved December twentieth, one thousand eight hundred and sixty-two, also an act amendatory of and supplementary to an act entitled "An act to provide for the formation of corporations for certain purposes", approved December twentieth, one thousand eight hundred and sixty-two, approved February nineteenth, one thousand eight hundred and sixty-four, are hereby repealed.

(3416.) SEC. 28. Corporations formed under the provisions of this act for mining, milling, or ore-reduction purposes may subscribe to and become stockholders in any corporation, company, or association now formed, or which may hereafter be formed, for the purpose of constructing any tunnel, shaft, or other work which may be calculated to aid or facilitate the exploration, development, or working of any mine or mining ground in this state; and any corporation so becoming a stockholder therein shall, in proportion to its interest, be subject to all the liabilities and entitled to all the rights and privileges of an individual stockholder.

NOTE.—Act of February 1 (Stats., 1867, p. 44).

NOTE.—This act is amended by act approved February 17, 1875 (Stats., 1875, p. 68). The amendatory act was also amended by act approved February 11, 1881 (Sess. Laws, 1881, p. 34).

AN ACT concerning corporations. (Approved March 11, 1865; Sess. Laws, 1865, p. 388; Comp. Laws, vol. 2, 281.)

(3417.) SECTION 1. All associations or companies heretofore organized and acting in the form and manner of corporations, and that have filed certificates for the purpose of being incorporated in the office of the county clerk in which the principal place of business of the company is intended to be located, and a certified copy of the same in the office of the secretary of state, but whose certificates are in some manner defective, or have been improperly acknowledged, or have been acknowledged before a person not authorized by law to take such acknowledgments, or where a conveyance has been made to the persons named in the certificate of incorporation as trustees, prior to the filing of the certificate of incorporation as above stated, are hereby declared to be and to have been a corporation from the date of filing of such certificates in the same manner and with like effect and intent as if such certificates were without fault and properly acknowledged before an officer having authority to take such acknowledgments, and such conveyances or deeds shall be held and construed to convey to the corporations, respectively, the title and estate mentioned therein for the uses and purposes in such conveyances or deeds as expressed therein.

(3418.) SEC. 2. Nothing herein contained shall be held or construed so as to impair any rights which have heretofore been acquired by or vested in any person or persons whatsoever.

CHAP. CXV.—OF EXTENDING THE PROVISIONS OF THE GENERAL INCORPORATION ACT TO CORPORATIONS CREATED PRIOR TO ITS PASSAGE; CONFIRMATION OF PROCEEDINGS FOR DISINCORPORATING AND IN INCREASING CAPITAL STOCK AND PURCHASE OF MINING PROPERTY.

Sec.
3419. Preamble; act to apply to corporations formed prior to its passage.
3420. Orders, decrees, etc., made prior to March tenth, eighteen hundred and sixty-five, ratified.
3421. Power of corporations to purchase and hold mining property.
3422. How exercised.

AN ACT to extend the provisions of an act entitled "An act to provide for the formation of corporations for certain purposes", approved March tenth, eighteen hundred and sixty-five, to corporations created prior to that time, and to confirm proceedings taken for the purpose of disincorporating corporations, and for the purpose of increasing the capital stock of corporations. (Approved January 16, 1866.)

Whereas it is doubtful whether certain sections of the act referred to above apply to corporations created and formed prior to the passage of said act: Therefore,

The people of the State of Nevada, represented in senate and assembly, do enact as follows:

(3419.) SECTION 1. The act entitled "An act to provide for the formation of corporations for certain purposes",

approved March tenth, eighteen hundred and sixty-five, and each section and provision thereof, shall apply to all corporations created or formed or doing business in this state, or the late territory of Nevada, prior to the passage of said act, and shall constitute the rule for the government and management of the affairs and business of such corporations.

(3420.) SEC. 2. All orders or decrees made by any court or judge in this state since March the tenth, one thousand eight hundred and sixty-five, disincorporating or dissolving any corporation created or formed or doing business in this state, or the late territory of Nevada, prior to said date, and all certificates of the proceedings of stockholders' meetings of such corporations, held for the purpose of increasing or diminishing the amount of the capital stock of the same, are hereby ratified, confirmed, and made valid; and all orders made as aforesaid, and all proceedings had and taken in pursuance to and by virtue thereof, are hereby ratified and made valid, and all the certificates aforesaid having for their object the increase or diminution of the capital stock of such corporations, and filed as provided in section two of said act of March tenth, are made valid, and from the time of the filing thereof the capital stock of the corporation named in any such certificate shall be deemed increased or diminished as therein provided, and all proceedings subsequently had and done under, in pursuance to, and having reference to said certificate and the laws applying thereto shall be valid and effectual for all purposes.

AN ACT concerning the powers of corporations. (Approved March 3, 1866; Stats., 1866, p. 204; Comp. Laws, vol. 2, p. 283.)

(3421.) SECTION 1. All corporations for the purpose of mining, formed, or which may be hereafter formed, under the laws of the state of Nevada, or which were formed under the laws of the territory of Nevada, shall have power to purchase and hold such mining property as they may deem meet.

(3422.) SEC. 2. The power to make such purchases by any corporation shall be exercised only by a majority in interest of all the stockholders in any such corporation, or by such person or persons as may, by such majority, be duly appointed to act in their stead.

CHAP. CXVI.—OF THE PROOF OF THE EXISTENCE AND CORPORATE NAME OF FOREIGN CORPORATIONS.

Sec.
3423. Foreign corporations required to file copy of certificate.
3424. Carrying on business without filing deemed misdemeanor; penalty.

AN ACT to require foreign corporations to furnish evidence of their incorporation and corporate name. (Approved March 3, 1869; Sess. Laws, 1869, p. 115; Comp. Laws, vol. 2, p. 283.)

(3423.) SECTION 1. Every incorporated company or association created and existing under the laws of any other state, or of any foreign government, shall file in the office of the county recorder of each county of this state wherein such corporation is engaged in carrying on business of any character, a properly-authenticated copy of their certificate of incorporation, or of the act or law by which such corporation was created, with a proper certificate of the officers of the corporations as to the genuineness of the same, and to each of such certificates shall be appended a duly-certified list of the officers of such corporation.

(3424.) SEC. 2. Any person or persons who shall act as the managing agent or superintendent of any such corporation, in conducting or carrying on any business of such corporation in any of the counties of this state without any such certificate having been filed as required, as provided in section one herein, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not exceeding five hundred dollars, to which may be added imprisonment not exceeding six months.

NOTE.—This act is amended by act approved January 30, 1877 (Sess. Laws, 1877, p. 57).

CHAP. CXLVII.—OF THE DIVERSION OF WATER, AND RIGHT OF WAY THROUGH THE LANDS OF OTHERS.

Sec.
3852. Manner of constructing and maintaining a ditch or flume.
3853. Right conferred to enter and appropriate private lands; compensation, how made; duty of appraisers; tender to be made; proviso; appeal.
3854. Act not to interfere with prior right.
3855. Act to apply to ditches and flumes already constructed.

AN ACT to allow any person or persons to divert the waters of any river or stream, and run the same through any ditch or flume, and to provide for the right of way through the lands of others. (Approved March 3, 1866; Sess. Laws, 1866, p. 202; Comp. Laws, vol. 2, p. 415.)

(3852.) SECTION 1. Any person or persons desiring to construct and maintain a ditch or flume within any one or more of the counties of this state shall make, sign, and acknowledge, before some officer entitled to take acknowledgments of deeds, a certificate, specifying: First, the name by which the ditch or flume shall be known;

and, second, the names of the places which shall constitute the termini of said ditch or flume. Such certificate shall be accompanied with a plat of the proposed ditch or flume, and shall be recorded in the office of the county recorder of the county or counties within or through which such ditch or flume is proposed to be located; and the record of such certificate and plat shall give constructive notice to all persons of the matters therein contained. The work of constructing such ditch or flume shall be commenced within thirty days of the time of making the certificate above mentioned, and shall be continued with all reasonable dispatch until completed.

(3853.) SEC. 2. Any person or persons proposing to construct a ditch or flume under the provisions of this act shall have the right to enter upon private lands for the purpose of examining and surveying the same; and where such lands cannot be obtained by the consent of the owner or owners thereof, so much of the same as may be necessary for the construction of said ditch or flume may be appropriated by said person or persons, after making compensation therefor, as follows: Said person or persons shall select one appraiser, and said owner or owners shall select one, and the two so selected shall select a third. In case the owner or owners shall from any cause fail, for the period of five days, to select an appraiser as hereinbefore provided, then it shall be the duty of the appraiser selected by the person or persons proposing to construct said ditch or flume to select a second appraiser, and the two so selected shall select a third, and in either case the three selected shall, within five days after their selection, meet and appraise the lands sought to be appropriated, after having been first duly sworn by some officer entitled to administer oaths to make a true appraisement thereof, according to the best of their knowledge and ability. If such person or persons shall tender to such owner or owners the appraised value of such land, they shall be entitled to proceed in the construction of the ditch or flume over the lands so appraised, notwithstanding such tender may be refused: *Provided*, That such tender shall always be kept good by such person or persons: *And provided further*, That an appeal may be taken by either party from the findings of the appraisers to the district court of the district within which the lands so appraised shall be situated, at any time within ten days after such appraisement.

NOTE.—As amended March 5 (Stats., 1869, p. 129).

(3854.) SEC. 3. Nothing in this act contained shall be so construed as to interfere with any prior or existing claim or right.

(3855.) SEC. 4. This act shall apply, and the rights and privileges herein conferred shall inure, to the benefit of all persons or corporations who have heretofore constructed and now maintain, ditches, flumes, or aqueducts in this state, from whatever source they may have procured water, such persons or corporations being required to make and file the certificate mentioned in section one of this act, and upon such filing the party or parties filing the same shall be authorized, from time to time, to extend his or their ditch or flume, and proceed to condemn private property for such ditch or flume, or for any reservoir or reservoirs connected or to be used in connection with such ditch or flume, as provided in section two of this act.

CHAP. CLVIII.—OF THE BUSINESS OF ASSAYING.—REGULATIONS OF ASSAYING.

Sec.
4032. Assayers required to make monthly returns; what return to set forth.
4033. What deemed a misdemeanor; penalty.
4034. Assayers required to place description on bars of bullion.
4035. Penalty for neglect or refusal.

AN ACT to regulate the business of assaying within the state of Nevada. (Approved February 13, 1867; Sess. Laws, 1867, p. 57; Comp. Laws, vol. 2, p. 468.)

(4032.) SECTION 1. Every person or firm now engaged in, or who may hereafter engage in, the business of assaying within the state of Nevada, shall make and file, at the end of each and every month, with the county clerk of the county where such business is pursued, a sworn return, subscribed with the name and verified by the oath of the person having the charge and control of such business; which return shall set forth the name and place of residence of every person within such month depositing or selling bullion or amalgam for melting, retorting, refining, or assaying, together with the date of the deposit, the amount then deposited, the name of the mine and mill, blanket, sluice, or other source from which the same was obtained.

(4033.) SEC. 2. Every person or firm, within the state of Nevada, engaged in or carrying on the business mentioned in the first section of this act, who shall neglect or refuse to comply with its provisions, or any of them, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than one thousand dollars and not more than five thousand dollars, and shall be imprisoned in the county jail not less than one month nor more than six months, for each and every such refusal or neglect.

AN ACT to regulate the business of assaying within the state of Nevada. (Approved March 3, 1869; Sess. Laws, 1869, p. 113.)

(4034.) SECTION 1. Every person or firm now engaged in, or who may hereafter engage in, the business of assaying within the state of Nevada shall be required to place a written description, pasted on or stamped upon

every bar of bullion or amalgam melted, retorted, assayed, or refined by such person or firm, the name of the person or company by whom such bullion or amalgam was deposited with or sold to such person or firm.

(4035.) SEC. 2. Every person or firm within the state of Nevada, engaged in or carrying on the business mentioned in the first section of this act, who shall neglect or refuse to comply with its provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars, and shall be imprisoned in the county jail not less than one month nor more than six months, for each and every such refusal or neglect.

CHAP. C.—OF THE TAXATION OF THE NET PROCEEDS OF MINES.

Sec.
3245. Assessment of ores, etc.; proviso.
3246. Assessment roll of proceeds of mines; form of; assessor to demand statement under oath, etc.; false statement deemed perjury.
3247. Books of company to be open to inspection of assessor; refusal deemed misdemeanor; punishment.
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3249. Persons feeling aggrieved may have assessments equalized.
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3253. Apportionment of compensation.
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3256. Acts made applicable.
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AN ACT providing for the taxation of the net proceeds of mines. (Approved February 28, 1871; Sess. Laws, 1871, p. 87; Comp. Laws, vol. 2, p. 224.)

(3245.) SECTION 1. All ores, tailings, and mineral-bearing material, of whatever character, shall be assessed for purposes of taxation, for state and county purposes, in the following manner: From the gross yield, return, or value of all ores, tailings, or mineral-bearing material, of whatever character, there shall be deducted the actual cost of extracting said ores or minerals from the mine, the actual cost of saving said tailings, the actual cost of transportation of said ores, mineral-bearing material, or tailings to the place of reduction or sale, and the actual cost of such reduction or sale, and the remainder shall be deemed the net proceeds, and shall be assessed and taxed as provided for in this act: *Provided*, That in no case whatsoever shall the whole amount of deductions allowed to be made in this section from the gross yield, return, or value of said ore, mineral-bearing material, or tailings exceed the percentage of gross yield, value, or return of such ore, minerals, or tailings, as hereinafter specified. On all ores, tailings, or mineral-bearing material, the gross yield or value of which is twelve dollars per ton or less, the whole amount of deductions shall not exceed ninety per centum of such gross yield, return, or value. On all ores, tailings, or mineral-bearing material, the gross yield, value, or return of which is over twelve and under thirty dollars per ton, the whole amount of deductions shall not exceed eighty per centum of such gross yield, value, or return. On all ores, tailings, or mineral-bearing material, the gross yield, return, or value of which is over thirty dollars and less than one hundred dollars per ton, the whole amount of deductions shall not exceed sixty per centum of such gross yield, value, or return. On all ores, tailings, or mineral-bearing material, the gross yield, return, or value of which is one hundred dollars per ton or over, the whole amount of deductions shall not exceed fifty per centum of such gross yield, return, or value: *Provided*, That an additional exemption of fifteen dollars per ton may be allowed on all ores, tailings, or minerals worked by the Freiberg process.

(3246.) SEC. 2. It shall be the duty of the several county assessors within the state to compare and complete quarterly, on or before the second Monday in February, May, August, and November in each year, a tax list or assessment roll of the proceeds of the mines, alphabetically arranged, in a book furnished them by the board of county commissioners for that purpose, in which book shall be listed or assessed the proceeds of all mines in their respective counties, as provided in this act. The form of the assessment roll shall be substantially as follows:

Total amount of tax.	Net yield or value in dollars and cents.	Actual cost of reduction or sale.	Actual cost of transportation to place of reduction or sale.	Actual cost of extracting same from mine.	Gross yield or value; same in dollars and cents.	Number of tons extracted for the quarter.	Description and location of mine.	Names of owners.

For the purpose of enabling the assessor to make such assessment, he shall demand from the president, secretary, superintendent, treasurer, or managing agent of each corporation, association, or firm engaged in extracting ores or minerals within his county, and from any person so engaged other than as a corporation, association, or firm, a statement, under oath or affirmation, of the total number of tons extracted by him or them, the gross yield or value of the same in dollars and cents, the actual cost of extracting the same from the mine, the actual cost of transportation of same to the place of reduction or sale, and the actual cost of reduction or sale of same for the preceding three months respectively. If any person shall, knowingly, make or give under oath or affirmation, as aforesaid, a false statement to the assessor, such person shall be deemed guilty of perjury, and, upon conviction thereof, shall be punished therefor as is provided by law for the punishment of the crime of perjury.

(3247.) SEC. 3. The account books relating to or used in the transaction of the business of any person, firm, company, association, or corporation engaged in extracting ores or minerals bearing gold or silver, or other metals, for reduction or sale, shall, on demand of the assessor or his deputy, be open to his inspection. If any such person, or the president, superintendent, treasurer, secretary, or managing agent, or whoever has charge of said books of such company, association, corporation, or firm, shall neglect or refuse to give, on demand, to the assessor or his deputy, access to the books aforesaid, he or they shall be deemed guilty of a misdemeanor, and shall be arrested on complaint of the assessor or his deputy, and, on conviction thereof before a justice of the peace, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

(3248.) SEC. 4. In case of neglect or refusal of any person, firm, president, superintendent, treasurer, secretary, or managing agent, or whoever has charge of the books or mines of any person, firm, company, association, or corporation engaged in extracting ores or minerals for reduction or sale, to give, under oath or affirmation, the statement required in this act, the assessor or his deputy shall make an estimate from the best sources within his reach of the number of tons of all ores or minerals extracted by such person, firm, company, association, or corporation for the preceding quarter, and assess the same to him or them without making any deduction for actual costs of any kind, and such assessment shall be binding, lawful, and effectual, as if made upon a sworn or affirmed statement.

(3249.) SEC. 5. Any person, firm, incorporated company, or association, excepting such as shall have persistently refused to give the assessor, on his demand, access to the books of said person, firm, incorporated company, or association, feeling aggrieved on account of the assessment made as in this statute provided, may appear before the board of county commissioners, at any regular term, or special term thereof called for that purpose, and ask to have such assessment equalized; and such board may proceed to hear the allegations of the party complaining, and of the assessor, and such other evidence as may be produced, and, by an order entered in the minutes of their proceedings, equalize such assessment by adding to or deducting therefrom, as may seem just, and such action, when had, shall be final.

(3250.) SEC. 6. Every tax levied under the authority or provisions of this act on the proceeds of the mines is hereby made a lien on the mines or mining-claims from which ores or minerals bearing gold and silver, or either, or any other valuable metal, is extracted for reduction, which lien shall attach on the first days of January, April, July, and October of each year, for the quarter year commencing on those days respectively; and shall not be satisfied or removed until the taxes, as provided in this act, on the proceeds of the mines are all paid, or the title to said mines or mining-claims has absolutely vested in a purchaser under a sale for the taxes levied on the proceeds of such mines or mining-claims.

(3251.) SEC. 7. The county assessor may at any time serve a notice, which shall be in writing, signed by him, upon any person or firm, or upon the superintendent, managing agent, foreman, or any other person having charge or control of the business of any incorporated company or association engaged in reducing ores taken from any mine or mining-claim, setting forth the amount of taxes assessed and unpaid on account of ores or minerals extracted or taken from such mine or mining-claim, and from the time of receiving such notice the person or firm, incorporated company, or association so notified shall be held liable for the amount of such unpaid taxes to the extent of the value of the ores and minerals then in possession of the person or firm, incorporated company, or association extracted or taken from such mine or mining-claim.

(3252.) SEC. 8. The assessors in the several counties in this state shall be allowed to retain to their own use, for collecting the tax as provided in this act on the proceeds of the mines and mining-claims, three per centum on all moneys by them collected, and no more. The assessor and his deputies shall keep a correct account of the number of days they have been actually employed in assessing the proceeds of mines, as provided in this act, and including therein the time employed in making the assessment for both state and county purposes on the proceeds of the mines, and shall verify the same under oath before the clerk of the board of county commissioners, or other person authorized to administer oaths, and then present said account to the board of county commissioners, who, if satisfied of the correctness of the same, shall allow it, or so much thereof as they may find correct, and order payment therefor to be made at the rate of eight dollars per day, which shall be in full for all services in making the assessment for both state and county purposes, and shall be paid as in this statute provided. The county auditor shall receive, for extending the taxes on the quarterly assessment roll of the proceeds of the mines, an amount not to exceed fifteen cents per folio of one hundred words. No county treasurer shall be allowed to receive to his own use any percentage or compensation from the tax on the proceeds of the mines.

(3253.) SEC. 9. The amount allowed and paid out to the assessor and county auditor for services under this act shall be apportioned by the auditor in the proportion the state tax bears to the county tax on proceeds of mines, and the amount shall be charged to the state and county in said proportion, and a verified statement of the amount allowed by the board of county commissioners shall entitle the controller to credit the county treasurer with such amounts as shall have been charged against the state.

(3254.) SEC. 10. The collection of the tax authorized to be levied under this act shall be enforced in the same manner in which the tax on any other kind of personal property is enforced and collected.

AN ACT providing for the location and taxation of borax and soda mines and claims. (Approved March 7, 1873; Sess. Laws, 1873, p. 178; Comp. Laws, vol. 2, p. 228.)

(3255.) SECTION 1. The ownership of, or claim to, or possession of, or right of possession to any lands in this state containing, and held for the purpose of obtaining, borax or soda, shall be assessed annually for taxation, for state and county purposes, at not exceeding five dollars per acre. The annual payment of said taxes and the compliance with the provisions of an act entitled "An act to provide for the location of lands containing salt", approved February twenty-fourth, eighteen hundred and sixty-five, shall be held as a recognition on the part of the state of the validity of said ownership of, or claim to, or possession of, or right of possession to said lands: *Provided*, That where borax and soda mines and claims are being worked for borate of soda, borate of lime, boracic acid, or carbonate of soda, then the net proceeds thereof shall be taxed, in the event that the tax on such net proceeds shall equal or exceed in amount what would be derived from said mines or claims, taxing them at five dollars per acre as aforesaid, and when the net proceeds are taxed the ownership of, claim to, possession of, or right of possession to the said lands shall not be taxed.

(3256.) SEC. 2. Sections two, three, four, five, six, seven, eight, nine, and ten of an act entitled "An act providing for the taxation of the net proceeds of mines", approved February twenty-eighth, eighteen hundred and seventy-one, shall be, and are hereby, made applicable as to time and manner of assessing and collecting the revenue derived from the net proceeds of borax and soda mines and claims.

(3257.) SEC. 3. The officers whose duty it is to enforce the provisions of "An act providing for the taxation of the net proceeds of mines" (referred to in section two of this act) shall enforce the provisions of this act so far as it relates to the taxation of the net proceeds of borax and soda mines and claims, and shall receive the same compensation as provided in said act.

(3258.) SEC. 4. The state controller is hereby authorized and directed to prepare and furnish the necessary blanks and instructions to carry this act into effect.

CHAP. I.—THE EXECUTION.

TITLE VII.—*Of the execution of the judgment in civil actions.*

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SECTION 221. The following property shall be exempt from execution, except as herein otherwise specially provided:

* * * * * * * * *

Fourth. The tools and implements of a mechanic or artisan necessary to carry on his trade. * * *

Fifth. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also his sluices, pipes, hose, windlass, whim, derrick, cars, pumps, tools, implements, and appliances necessary for carrying on any kind of mining operations, not exceeding in value the aggregate sum of five hundred dollars; and two horses, mules, or oxen, with their harness, and food for such horses, oxen, or mules for one month, when necessary to be used for any whim, windlass, derrick, car, pump, or hoisting apparatus.

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NOTE.—"An act to regulate proceedings in civil cases in the courts of justice of this state, and to repeal all other acts in relation thereto." (Approved March 8, 1869; Comp. Laws, vol. 1, p. 358; Sess. Laws, 1869, p. 196.)

STATUTES OF 1875.

AN ACT to encourage the mining, milling, smelting, or other reduction of ores in the state of Nevada. (Approved March 1, 1875, p. 111.)

SECTION 1. The production and reduction of ores are of vital necessity to the people of this state; are pursuits in which all are interested, and from which all derive a benefit; so the mining, milling, smelting, or other reduction of ores are hereby declared to be for the public use, and the right of eminent domain may be exercised therefor.

SEC. 2. Any person, company, or corporation engaged in mining, milling, smelting, or other reduction of ores may acquire any real estate, or any right, title, interest, estate, or claim therein or thereto, necessary for the

purposes of any such business, by means of the special proceedings prescribed in this act. The said special proceedings shall be substantially as follows: There shall be filed in the clerk's office of the district court in the county where the real estate is situated a petition, verified according to law, stating therein the name of the person, company, or corporation presenting the petition; that they are engaged in the business of mining, milling, smelting, or other reduction of ores as aforesaid; the description by the metes and bounds, or by some accurate designation, of the tract or tracts of land desired to be appropriated for the purposes of such business; and that a necessity exists therefor; setting forth the names of those in possession of said lands, and of those claiming any right, title, or interest therein, so far as the same can be ascertained by reasonable diligence.

SEC. 3. The persons in occupation of said tract or tracts of land, and those having any right, title, or interest therein, whether named in the petition or not, shall be defendants thereto, and may appear and show cause against the same, and may appear and be heard before the commissioners herein provided for, and in proceedings subsequent thereto, in the same manner as if they had appeared and answered said petition.

SEC. 4. The said court, or the judge thereof, either in term or vacation, shall, by order, appoint the time for the hearing said petition, and such hearing may be had, and all orders in said proceedings may be made, by the said court, or the judge thereof, either in term time or vacation.

SEC. 5. The petitioner shall cause all the occupants and owners of said tract or tracts of land, so far as the same can be ascertained by reasonable diligence, who reside in said county, to be personally notified of the pendency of the said petition at least ten days before the hearing thereof; and if any of said occupants or owners are unknown, or do not reside in said county, and have not been personally notified of the pendency of the said petition, such petitioner shall cause a notice, stating the filing of said petition, the object thereof, the tracts of land sought to be appropriated, and the time and the place of the hearing of said petition, to be published, for four successive weeks previous to the time of hearing said petition, in a newspaper published in said county, or if none is published in said county, then in a newspaper published nearest to said county.

SEC. 6. The defendants to said petition may appear and show cause against said petition on or before the time for the hearing thereof, or such other time as the hearing may be continued to; and upon satisfactory proof being made that the defendants have been duly notified of the pendency of said petition, as herein prescribed, and upon the hearing of the allegations and proofs of the said parties, if the said court or judge shall be satisfied that the said lands, or any part thereof, are necessary or proper for any of the purposes mentioned in said petition, then such court or judge shall appoint three competent and disinterested persons as commissioners, one of whom shall be selected from among the persons, if any, named for that purpose by said petitioner, and one shall be selected from among the persons, if any, named on the part of any of the defendants, to ascertain and assess the compensation to be paid to any person or persons having or holding any right, title, or interest in or to each of said tracts of land for and in consideration of the appropriation of such land to the use of said petitioner. If any vacancy occur among said commissioners by reason of any one or more of them refusing or neglecting to act, or by any other means, one or more commissioners may be appointed by said court or judge to fill such vacancy, upon notice being given of such vacancy as said court or judge may direct.

SEC. 7. The said court or judge shall appoint the time and place for the first meeting of said commissioners and the time for filing their report, and may give such further time as may be necessary for that purpose, if they shall not then have completed their duties. The said commissioners, or a majority of them, shall meet at the time and place as ordered, and before entering on their duties shall be duly sworn to honestly, faithfully, and impartially perform the duties imposed upon them; and any one of them may issue subpœnas for witnesses for either of said parties, and may administer oaths; and said commissioners may adjourn from place to place and from time to time as may be necessary for the proper discharge of their duties.

SEC. 8. The said commissioners shall proceed to view the several tracts of land, as ordered by said court or judge, and shall hear the allegations and proof of said parties, and shall ascertain and assess the compensation for the land sought to be appropriated, to be paid by said petitioner to the person or persons having or holding any right, title, or interest in or to each of the several tracts of land; and such commissioners shall, on or before the time or times as ordered by said court or judge, file in said clerk's office their report, signed by them, or a majority of them, setting forth their proceedings in the premises; and they may include all of said tracts in one report, or they may make several reports, including one or more of said tracts of land, if the court or judge shall so order, or if they shall deem it proper. In case there are adverse or conflicting claims to the compensation assessed for any tract of land, or any right, title, or interest therein thus sought to be appropriated, the parties thus asserting such claim shall present the same by petition to the court or judge after the report of the commissioners shall have been filed, and the said court or judge shall proceed to hear and determine the same; and in such cases such petitioner may pay the amount of such compensation to the clerk of said court, to abide the order of the court or judge in said proceedings, and said petitioner shall not be liable for any of the costs caused by the adjudication of such conflicting claims.

SEC. 9. The said petitioner, or any of said defendants, if dissatisfied with the report, may, within twenty days after the time of filing said report, and after ten days' notice to the parties interested, move to set aside the report,

and to have a new trial as to any tract of land, on good cause shown therefor, and the said court or judge shall set aside the report as to such tract of land, and may recommit the matter to the same or to other commissioners, who shall be ordered to proceed in like manner as those first appointed; but such matter shall not be more than twice recommitted to commissioners.

SEC. 10. Upon the expiration of twenty days after the filing of said report or reports, or at such further time as may be appointed therefor, if the motion and notice shall not have been made and given as aforesaid, and if the proceedings of said commissioners appear to have been correctly and properly done, the said court or judge shall confirm each of said reports and certify the same thereon.

SEC. 11. Each of said reports and the certificates thereon, upon the compensation therein named being paid, shall be recorded in the recorder's office of said county by said petitioner. The said court or judge may make all such orders as may be necessary or proper in the special proceedings provided for in this act, and shall cause the pleadings and proceedings to be amended whenever justice shall require it to be done, and shall direct the manner of the service of all orders and notices not herein specially provided for. Costs in such special proceedings shall be taxed by the clerk at the rates prescribed in the fee bill for said county in civil actions, and also the compensation of the commissioners, which shall be fixed by the court or judge, and shall be paid by said petitioner, except in case where a defendant shall move for a new trial, and the compensation assessed by the commissioners shall not be increased more than ten per cent. upon the previous assessment, in which case such defendant shall pay the costs.

SEC. 12. If the title attempted to be acquired by virtue of the provisions of this act shall be found to be defective from any cause, such petitioner may again institute proceedings to acquire the same, as in this act prescribed, and at any stage of such new proceedings, or of any proceedings under this act, the court or judge in chambers may rule, or by order in their behalf made, authorize such petitioner, if already in possession, to continue in the use and possession, and if not in possession, to take possession of and use such premises during the pendency of, and until the final conclusion of, such proceedings, and may stay all actions and proceedings against such petitioner on account thereof, provided such petitioner shall pay a sufficient sum into court or give security, to be approved by such court or judge, to pay the compensation in that behalf when ascertained.

SEC. 13. Upon the filing of the report of the commissioners for record, as above provided for, and upon the payment or tender of the compensation and costs as prescribed in this act, the real estate, or the right, title, or interest therein described in such report, shall become the property of such petitioner for the purpose of the business of mining, milling, smelting, or other reduction of ores, as aforesaid, so long as the same shall be continued, and shall be deemed to be acquired for and appropriated to public use.

SEC. 14. Such petitioner shall, within thirty days after the final confirmation of the report aforesaid, pay or tender the sum of money ascertained and assessed by said commissioners as and for the compensation of each tract of land described in said report of which the compensation was ordered by said court or judge to be ascertained and assessed as aforesaid; and said payment or tender may be made to the person or persons owning said tract of land, or having or holding any right, title, or interest therein, according to the amount or extent of the right, title, or interest owned or held therein by such person or persons; or said payment may be made to the said clerk for said persons, and the same shall be deemed and taken as a payment to such person or persons, and shall be as effectual for all purposes as if the said sum of money had been personally paid to each and all of the persons entitled thereto.

SEC. 15. If it shall become necessary for any of the purposes aforesaid for such petitioner to acquire any real estate, or any right, title, or interest therein, which is the property of any infant, idiot, or insane person, the guardian, executor, or administrator, as the case may be, shall be subject to process, judgment, and decree, as herein provided for persons of full age or capable of contracting, or without such process, judgment, or decree they may sell and convey the property desired to said petitioner; but neither such sale or conveyance shall be valid for any purpose until the same shall have been approved by the judge of the proper court, and said judge is hereby authorized to examine such deeds and conveyances, and if he shall deem the same just and proper, he shall approve the same, and thereupon such conveyances shall have the same force and effect for the purposes in this section mentioned as if the same had been executed by persons competent to convey lands in their own names.

SEC. 16. The said court or judge shall, at the time of the payment of any sum of money to the said clerk, under the provisions of this act, or at such other time or times as may be ordered, direct and order the same to be paid over to the person or persons who shall, upon satisfactory proof, appear to be entitled thereto.

SEC. 17. In all the proceedings in relation to the sale or appropriation of real estate, and ascertaining and receiving the compensation therefor, for the purposes as prescribed in this act, the term "person" shall be deemed to include municipal or other corporations, and the word "petitioner" to designate any person or number of persons, company, or corporation who may in any case petition as provided in this act.

SEC. 18. The minutes of the proceedings had before such judge shall be entered by said clerk in the same manner and with the same force and effect as if the proceedings were had before said court in term time.

CHAP. XXVI.

AN ACT to amend an act entitled "An act to provide for the formation of corporations for certain purposes", approved March tenth, eighteen hundred and sixty-five. (Approved February 17, 1875, p. 68.)

SECTION 1. Section five of said act, of which this act is amendatory, is hereby amended so as to read as follows: "SEC. 5. The corporate powers of the corporation shall be exercised by a board of not less than three trustees, who shall be stockholders in the company, who shall, before entering upon the duties of their office, respectively, take and subscribe to an oath, as prescribed by the laws of this state, and who shall, after the expiration of the term of the trustees first elected, be annually elected by the stockholders at such times and place within the state, and upon such notice, and in such manner, as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he or she may be entitled to represent, by proxy, shares of stock; and the person or persons receiving the greatest number of votes shall be trustee or trustees. Whenever any vacancy shall happen among the trustees by death, resignation, or otherwise, except by removal and the election of his successor, as herein provided, it shall be filled by appointment of the board of trustees. On petition of the stockholders holding the majority of the stock actually issued by any corporation formed under this act, to the district judge of the district where said corporation has its actual place of business, verified by the signers, to the effect that they are severally the holders of to the number of shares set opposite their signatures to the foregoing petition, the district judge shall issue his notice to the stockholders of said company that a meeting of the stockholders will be held at the court-room of the district court, in the county in which is said principal place of business, stating the time, not less than five nor more than ten days after the first publication of said notice, and the object to be taken into consideration the removal of officers of said company; which notice, signed by the said district judge, shall be published daily, in a daily newspaper published in said county, for at least five days before the time for the meeting, or if there be no daily newspaper published in said county, then in such manner as the district judge shall direct. At the time appointed by said notice the said district judge shall appoint a secretary of the meeting, and shall thereupon hear the proofs of those claiming to be stockholders in said corporation, and only those showing a right to vote, or their proxies, shall take part in the further proceedings. Said judge shall decide who are entitled to vote, in a summary way, and his decision shall be final. If it appears at the time appointed, or within one hour thereafter, holders of less than one-half the whole number [of] shares actually issued, or their proxies, are present, the meeting shall be dissolved; but if the holders of more than one-half the shares actually issued, or their proxies, are present, they shall proceed to vote, the secretary calling the roll, which he shall prepare by setting down the names of persons held to be entitled to vote, and the number of shares held by each, and such persons voting yea or nay, as the case may be. The secretary shall enter the same upon his list, and when he has added up the list and stated the result, he shall sign the same and hand it to the judge, who shall declare the result. If the result of the vote is that the holders of a majority of all the shares of the company actually issued, or their proxies, are in favor of the removal of one or more of the officers of the company, the meeting shall then proceed to ballot for officers to supply the vacancies thus created. Tellers shall be appointed by the judge, who shall collect the ballots and deliver them to the secretary, who shall count the same in open session, and having stated the result of the count in writing, shall sign the same and hand it to the judge, who shall announce the result to the meeting. The judge shall thereupon issue to each person chosen a certificate stating that from the date of such meeting until the next annual election, unless removed under the provisions hereof, he is entitled to exercise and fill the office to which he is chosen; and shall indorse upon or annex to said petition a report of the proceedings of said meeting, and an order requiring that all books, papers, and all property and effects of said corporation be immediately delivered to the officers elect, and shall sign the same and file it with the clerk of his court; and thereafter any disobedience to said order may be punished as other contempts of court, and obedience thereto may be enforced by the court of said district. The district judge shall preside at said meeting and put to vote such proper motions as he may be requested to submit to the meeting. In deciding any controverted question that may arise, he shall have the power to administer oaths and take testimony, either orally or by *ex-parte* affidavits. For all the services in these proceedings the county clerk shall receive twenty dollars".

SEC. 2. This act shall take effect immediately.

NOTE.—This act is amended by act approved February 11, 1881 (Sess. Laws, 1881, p. 34).

CHAP. LXIV.

AN ACT to secure liens to mechanics and others, and to repeal all other acts in relation thereto. (Approved March 2, 1875; Sess. Laws, 1875, p. 122.)

SECTION 1. Every person performing labor upon or furnishing materials of the value of twenty-five dollars, to be used in the construction, alteration, or repairs of any building or other superstructure, railroad, tramway, toll-road, canal, water-ditch, flume, aqueduct, or reservoir, building, bridge, fence, or any other structure, or who performs labor in any mining-claim, has a lien upon the same for the work or labor done or materials furnished by

each respectively, whether done or furnished at the instance of the owners of the building or other improvement or his agent; and every contractor, subcontractor, architect, builder, or other persons having charge of any mining-claim, or of the construction, alteration, or repairs, either in whole or in part, of any building or other improvement, as aforesaid, shall be held to be the agent of the owner for the purpose of this chapter.

* * * * * * * * *

SEC. 3. The land occupied by any building or other superstructure, railroad, tramway, toll-road, canal, water-ditch, flume, aqueduct, or reservoir, bridge, or fence, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien, if at the commencement of the work, or of the furnishing of the materials for the same, the land belonged to the person who caused said building, improvement, or structure to be constructed, altered, or repaired: but if such person owned less than a fee-simple estate in such land, then only his interest therein is subject to such lien.

SEC. 4. The liens provided for in this chapter are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also to any lien, mortgage, or other incumbrance of which the lienholder had no notice, and which was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

* * * * * * * * *

NOTE.—This act is amended by act approved February 24, 1877 (Sess. Laws, 1877, p. 90), and was further amended by act approved February 23. 1881 (Sess. Laws, 1881, p. 49). The remaining sections of the above act relate to the recording, limitation, and enforcement of the lien, and to further matters concerning the subject, not essential to the purpose of this quotation.

CHAP. XV.

AN ACT to amend an act entitled "An act to require foreign corporations to furnish evidence of their incorporation and corporate name", approved March third, eighteen hundred and sixty-nine. (Approved January 30, 1877; Sess. Laws, 1877, p. 57.)

SECTION 1. Section one of said act is hereby amended so as to read as follows:

"SEC. 1. Every incorporated company or association created and existing under the laws of any other state, or of any foreign government, shall file, in the office of the county recorder of each county of this state wherein such corporation is engaged in carrying on business of any character, a properly-authenticated copy of their certificate of incorporation, or of the act or law by which such corporation was created, with a proper certificate of the officers of the corporation as to the genuineness of the same; and to each of such certificates shall be appended a duly-certified list of the officers of such corporation, which said list, with the proper supplemental certificates, shall be corrected as often as a change in such officers occurs; and a copy of such certificate, duly certified to by the county recorder wherein such certificate is filed, may be introduced in evidence to prove the fact of the existence of such corporation, without further proof".

SEC. 2. Section two of said act is hereby amended so as to read as follows:

"SEC. 2. Any person or persons who shall act as the managing agent or superintendent of any such corporation in conducting or carrying on any business of such corporation in any of the counties of this state, without any such certificate having been filed as required by section one of this act, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than fifty nor more than five hundred dollars, to which may be added imprisonment in the county jail for any period not exceeding six months: *Provided*, That in all actions against such corporations, associations, or companies which have neglected to file the proper certificate or act of their incorporation, as heretofore provided, it shall be sufficient to establish the legal existence of such corporation by the proof of their acting as such".

CHAP. XIX.

AN ACT to abolish the office of state mineralogist, and to provide for the care and preservation of the state museum. (Approved February 1, 1877; Sess. Laws, 1877, p. 59.)

SECTION 1. The office of state mineralogist of the state of Nevada is hereby abolished.

SEC. 2. On and after the first day of January, A. D. one thousand eight hundred and seventy-nine, the superintendent of public instruction shall be *ex-officio* curator of the state museum of mineralogical, geological, and other specimens.

SEC. 3. The curator, when visiting the several school districts in this state in his capacity as superintendent of public instruction, as is required by law, shall make inquiry, so far as is practicable, into the resources of the mines situated in the respective districts, and inspect the same; collect specimens of ores, ascertain their value, catalogue and place them in the state museum, and prepare for publication, in the appendix of his biennial report as

superintendent of public instruction, a report, as curator of the state museum, in detail of his acts performed and information obtained under the provisions of this act.

SEC. 4. For the services rendered and expenses incurred by the state superintendent of public instruction as curator of the state museum, as aforesaid, he shall be allowed a sum of not exceeding five hundred (500) dollars per annum, and he shall have further power to engage the services of one or more employés, at such times as he may deem necessary, to clean, rearrange, and catalogue all specimens that are now or that may hereafter be placed in said state museum, who shall be paid a compensation, subject to the approval of the board of state examiners, and on the certificate of the said curator, of a sum not exceeding five hundred dollars per annum.

SEC. 5. All claims for services rendered, as is provided in section four of this act, shall be allowed by the board of state examiners, and paid by the state treasurer out of any moneys not otherwise appropriated, on the warrant of the state controller.

SEC. 6. An act entitled "An act to provide for establishing and maintaining a mining school, and to create the office of state mineralogist", approved March ninth, one thousand eight hundred and sixty-six, is hereby repealed.

SEC. 7. An act entitled "An act to create the office of state mineralogist and define the duties of such officer", approved March first, one thousand eight hundred and sixty-nine, is hereby repealed.

SEC. 8. This act shall not take effect and be in force until on and after the first Monday in January, A. D. one thousand eight hundred and seventy-nine.

CHAP. XLI.

AN ACT to protect the rights of owners of stock shares and other interests in the mineral and metal yielding mines of this state. (Approved February 21, 1877; Sess. Laws, 1877, p. 80.)

SECTION 1. Any person who shall be the *bona fide* owner of stock shares representing the value of one per cent. of the capital stock of any company incorporated for the purpose of working upon and mining in any lode, ledge, deposit, or bed of the precious metals or useful minerals in this state, and any number of persons who shall be the *bona fide* owners of an aggregate number of mining shares amounting to one per cent. of said capital stock, standing in their own names on the books of the company at the time application for the permit is made, shall be a duly-accredited agent, upon a written order from the clerk or justice of the peace of the county in which such lode, ledge, deposit, or bed is located, be entitled to the privilege of fully examining all of the shafts, adits, borings, drifts, stopes, hoisting apparatus, and every and all properties and appurtenances belonging to such mining company: *Provided*, Such privilege for examination shall not be permitted except during one day during each calendar month. The superintendent shall keep posted in some conspicuous place the day of the month the person may be admitted into the mine under the provisions of this act.

SEC. 2. The county clerk or justice of the peace in each of the counties of this state shall keep in his office a suitable book of registration, in which he shall enter the names of all persons who shall be entitled to the privileges granted by this act; and the county clerks or justices of the peace of the several counties in this state are hereby authorized to administer an oath or affirmation to each and every applicant for said privileges; and for administering such oath or affirmation and for registering the name of the applicant the clerk or justice of the peace shall receive a fee of one dollar, to be paid by the applicant at the time of registration.

SEC. 3. Upon making application for the privilege of entering and examining any of the mines or mining properties mentioned in section one of this act, the applicant shall present to the county clerk or justice of the peace certificates of stock shares representing in value one per cent. of the capital stock of the company whose mine he desires to examine; thereupon the applicant shall make oath or affirmation that he is a party in interest in the stock shares of the mines and mining property which he or she desires to examine; that the stock certificates presented by him or her are actually his or her own property, or that such certificates of stock really belong to the parties which he or she is authorized to represent.

SEC. 4. Immediately upon complying with the provisions of section three of this act it shall be the duty of the county clerk or justice of the peace to furnish the applicant with a written order for admission to the mine and mining properties to which he or she may desire to examine.

SEC. 5. Any mining superintendent, or mining foreman, or mining secretary of any incorporated mining company in this state, acting under and for such mining company, who shall fail or refuse to comply with any of the conditions mentioned in section one of this act, shall, for each and every such failure or refusal, be deemed guilty of a misdemeanor, and, upon conviction in any court of competent jurisdiction, shall be fined in any sum not less than one hundred ($100) dollars and not exceeding five hundred ($500) dollars, or by imprisonment in the county jail for a term not less than thirty days and not exceeding six months, or by both such fine and imprisonment.

SEC. 6. This act shall take effect from and after the first day of April, eighteen hundred and seventy-seven.

NOTE.—This act is amended by act approved March 1, 1879 (Sess. Laws, 1879, p. 57).

CHAP. L.

AN ACT supplementary to an act entitled "An act to secure liens to mechanics and others, and to repeal all other acts in relation thereto", approved March second, eighteen hundred and seventy-five. (Approved February 24, 1877; Sess. Laws, 1877, p. 90.)

SECTION 1. Where ore is delivered to a custom-mill or reduction-works, and either sold to said mill or reduction-works or worked at a percentage, the party or parties so furnishing ore to mill or reduction-works shall have a preferred lien upon the bullion product, and upon the ore not reduced, as against attachment and other creditors.

CHAP. L.

AN ACT to amend an act entitled "An act to protect the rights of owners of stock shares and other interests in the mineral and metal yielding mines of this state", approved February twenty-first, eighteen hundred and seventy-seven. (Approved March 1, 1879; Sess. Laws, 1879, p. 57.)

SECTION 1. Section one of said act is hereby amended so as to read as follows:

"SEC. 1. Any person who shall be the *bona fide* owner of stock shares representing the value of one-fifth of one per cent. of the original capital stock of any company incorporated for the purpose of working upon and mining in any lode, ledge, deposit, or bed of the precious metals or useful minerals in this state, and any number of persons who shall be the *bona fide* owners of an aggregate number of mining shares amounting in value to one-fifth of one per cent. of said capital stock, at the time application for a permit to examine any such mine shall be made, such owner or owners of mining stock shall, upon a written order from the county clerk, or from the justice of the peace of the county in which such lode, ledge, deposit, or bed is located, be entitled to the privilege of fully examining all of the shafts, adits, borings, drifts, stopes, hoisting apparatus, and every and all properties and appurtenances belonging to any such mining company: *Provided*, That not more than one owner of said percentage or aggregate percentages of such mining stock shall, either in person or by an accredited agent, be entitled to such written order for examination of any specified mine or mining property oftener than twice in one month; these days shall, however, not be more than fourteen nor less than fifteen days apart. It shall be the duty of the superintendent or other person or parties in charge of any incorporated mining-claim or mining property in this state to keep posted in some conspicuous place at or near the mine the day of the week in which authorized stockholders may be admitted under the provisions of this act".

SEC. 2. Section three of said act is hereby amended so as to read as follows:

"SEC. 3. Upon making application, as provided in section two of this act, for the privilege of entering and examining any of the mining properties mentioned in section one of this act, the applicant shall present to the county clerk or justice of the peace certificates of stock shares representing in value one-fifth of one per cent. of the original capital stock of the company whose mine or mining property he or she desires to examine. Thereupon the applicant shall make oath or affirmation that the said stock certificate or stock certificates presented by him or her are actually his or her own property, or that such certificates of stock at the time of presentation really belong to the party or parties whom he or she is, under the provisions of section one of said act, authorized to represent".

SEC. 3. Section four of said act is hereby amended so as to read as follows:

"SEC. 4. Immediately upon complying with the provisions of section three of this act it shall be the duty of the county clerk or justice of the peace to furnish the applicant with a written order for admission to the mine and mining properties which he or she may desire to examine".

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. LX.

AN ACT to encourage the collection of geological, paleontological, and mineral specimens in this state. (Approved March 5, 1879; Sess. Laws, 1879, p. 64.)

SECTION 1. Any person who shall be the *bona fide* owner of a collection or cabinet of metal-bearing ores, geological specimens, art curiosities, or paleontological remains, and who shall properly arrange, classify, number, and catalogue in a suitable book or books of reference any such collection of ores, specimens, curiosities, or remains, whether the same shall be kept at a private residence, or in a public hall, or in a place of public business or traffic, the said *bona fide* owner of such collection shall be entitled to hold the same exempt from execution as other property is exempted from execution under the provisions of section two hundred and twenty-one of an act entitled "An act to regulate proceedings in civil cases in the courts of justice of this state, and to repeal all other acts in relation thereto", approved March eighth, eighteen hundred and sixty-nine.

SEC. 2. Nothing in section one of this act shall be construed so as to exempt from execution any numismatic collection, such as gold or silver coins, paper currency, bank notes, legal-tender currency, national or state bonds, or any negotiable note, or valuable copper, bronze, nickel, platinum, or other coin whatsoever.

SEC. 3. It is hereby made the duty of the owner of any such collection or cabinet, as described in section one of this act, to keep constantly at or near such collections or cabinet, for the free inspection of all visitors who may desire to examine the same, either written or printed catalogues, as provided in section one of this act; and any person owning such collection or cabinet who shall fail or neglect to comply with the provisions of this section of this act shall forfeit all right to hold such collections or cabinet as exempt from legal execution as provided in section one of this act.

CHAP. CVII.

AN ACT to amend section four of an act entitled "An act to provide revenue for the support of the government of the state of Nevada", approved March ninth, eighteen hundred and sixty-five, approved March fifth, eighteen hundred and seventy-seven. (Approved March 8, 1879; Sess. Laws, 1879, p. 110.)

SECTION 1. Section four of the above-entitled act is hereby amended so as to read as follows:

"SEC. 4. All property of every kind and nature whatsoever within this state shall be subject to taxation, except: First. All lands or other property owned by the state or by the United States. Second. * * * Third. * * * Fourth. Mines and mining-claims: *Provided*, That nothing in this section shall be so construed as to exempt from taxation possessory claims to the public lands of the United States or of this state, or the proceeds of the mines: *And provided further*, That nothing herein shall be so construed as to interfere with the primary title to the lands belonging to the United States: *And provided further*, That all property shall be taxed at its cash value at the time of making such assessments". * * *

SEC. 2. All acts and parts of acts, in so far as they conflict with the provisions of this act, are hereby repealed.

CHAP. LXXII.

AN ACT to provide for the better preservation of the mining records in certain mining districts in this state. (Approved March 6, 1879; Sess. Laws, 1879, p. 80.)

SECTION 1. In every mining district in this state in which the seat of government of any county is situated the county recorder of said county shall be *ex-officio* district mining recorder, subject in the discharge of his duties to such rules, regulations, and compensation as may be now in force or hereafter prescribed by the mining laws of the mining districts, respectively, to which this act is applicable. He shall, as such *ex-officio* mining recorder, be responsible on his official bond for the faithful performance of the duties of his office and the correct and safe keeping of all the records thereof.

SEC. 2. This act shall take effect and be in force from and after the first day of August, A. D. 1880.

NOTE.—This act was amended by act approved February 10, 1881 (Sess. Laws, 1881, p. 33).

CHAP. XXV.

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to provide for the formation of corporations for certain purposes'", approved March 10, 1865, approved February 17, 1875. (Approved February 11, 1881; Sess. Laws, 1881, p. 34.)

SECTION 1. Section one of said act of which this act is amendatory is hereby amended so as to read as follows:

"SEC. 1. The corporate powers of the corporation shall be exercised by a board of not less than three trustees, who shall be stockholders in the company, who shall, before entering upon the duties of their office, respectively take and subscribe to an oath, as prescribed by the laws of this state, and who shall, after the expiration of the term of the trustees first elected, be annually elected by the stockholders, at such times and place within the state, and upon such notice, and in such manner as shall be directed by the by-laws of the company; but all elections shall be by ballot, and every stockholder shall have the right to vote, in person or by proxy, the number of shares owned by him for as many persons as there are trustees to be elected, or to cumulate said shares and give one candidate as many votes as the number of trustees multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such trustees shall not be elected in any other manner; and the person or persons receiving the greatest number of votes shall be trustee or trustees. Whenever any vacancy shall happen among the trustees by death, resignation, or otherwise, except by removal and the election of his successor, as herein provided, it shall be filled by appointment of the board of trustees. On petition of the stockholders holding a majority of the stock actually issued by any corporation formed under this act, to the district judge of the district where said corporation has its actual place of business, verified by the signers, to the effect that they are severally the holders of to the number of shares set opposite their signatures to the foregoing petition, the district judge shall issue his notice to the stockholders of said company that a meeting of the stockholders will be held at the court-room of the district court, in the county in which is said principal

place of business, stating the time, not less than five nor more than ten days after the first publication of said notice, and the object to be taken into consideration, the removal of officers of said company; which notice, signed by the said district judge, shall be published daily in a daily newspaper published in said county for at least five days before the time for the meeting, or if there be no daily newspaper published in said county, then in such manner as the district judge shall direct. At the time appointed by said notice the said district judge shall appoint a secretary of the meeting, and shall thereupon hear the proofs of those claiming to be stockholders in said corporation; and only those showing a right to vote, or their proxies, shall take part in the further proceedings. Said judge shall decide who are entitled to vote, in a summary way, and his decision shall be final. If it appears at the time appointed, or within one hour thereafter, holders of less than one-half the whole number of shares actually issued, or their proxies, are present, the meeting shall be dissolved; but if the holders of more than one-half the shares actually issued, or their proxies, are present, they shall proceed to vote, the secretary calling the roll, which he shall prepare by setting down the names of persons held to be entitled to vote, and the number of shares held by each, and such persons voting yea or nay, as the case may be. The secretary shall enter the same upon his list, and when he has added up the list and stated the result, he shall sign the same and hand it to the judge, who shall declare the result. If the result of the vote is that the holders of a majority of all the shares of the company actually issued, or their proxies, are in favor of the removal of one or more of the officers of the company, the meeting shall then proceed to ballot for officers to supply the vacancies thus created. Tellers shall be appointed by the judge, who shall collect the ballots and deliver them to the secretary, who shall count the same in open session, and having stated the result of the count in writing, shall sign the same and hand it to the judge, who shall announce the result to the meeting. The judge shall thereupon issue to each person chosen a certificate stating that from the date of such meeting until the next annual election, unless removed under the provisions hereof, he is entitled to exercise and fill the office to which he is chosen; and shall indorse upon or annex to said petition a report of the proceedings of said meeting, and an order requiring that all books, papers, and all property and effects of said corporation be immediately delivered to the officers elect, and shall sign the same and file it with the clerk of his court; and thereafter any disobedience to said order may be punished as other contempts of court, and obedience thereto may be enforced by the court of said district. The district judge shall preside at said meeting, and put to vote such proper motions as he may be requested to submit to the meeting. In deciding any controverted question that may arise he shall have the power to administer oaths and take testimony, either orally or by *ex-parte* affidavits. For all the services in these proceedings the county clerk shall receive twenty dollars".

SEC. 2. This act shall take effect immediately.

CHAP. XXXVI.

AN ACT to amend an act entitled "An act to secure liens to mechanics and others, and repeal all other acts in relation thereto", approved March 2, 1875. (Approved February 23, 1881; Sess. Laws, 1881, p. 49.)

SECTION 1. Section one of an act entitled "An act to secure liens to mechanics and others, and to repeal all other acts in relation thereto", approved March the 2d, 1875, is hereby amended so as to read as follows:

"SEC. 1. Every person performing labor upon, or furnishing material of the value of five (5) dollars or more to be used in, the construction, alteration, or repair of any building or other superstructure, railroad, tramway, toll-road, canal, water-ditch, flume, aqueduct, or reservoir, building, bridge, fence, or any other structure, has a lien upon the same for the work or labor done or material furnished by each, respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent; and all miners, laborers, and others whose work or labor to the amount of five (5) dollars or more in or upon any mine, or upon any shaft, tunnel, adit, or other excavation designed or used for the purpose of prospecting, draining, or working any such mine, and all persons who shall furnish any timber or other material of the value of five (5) dollars or more to be used in or about any such mine, whether done or furnished at the instance of the owner of such mine or his agent, shall have, and may each respectively claim and hold, a lien upon such mine for the amount and value of the work or labor so performed or material furnished; and every contractor, subcontractor, architect, builder, or other persons having charge or control of any mining-claim, or any part thereof, or of the construction, alteration, or repair, either in whole or in part, of any building or other improvement, as aforesaid, shall be held to be the agent of the owner for the purposes of this chapter".

SEC. 2. This act shall take effect from and after its passage.

CHAP. XXIII.

AN ACT amendatory of and supplemental to an act entitled "An act to provide for the better preservation of the mining records in certain districts in this state", approved March 6, 1879. (Approved February 10, 1881; Sess. Laws, 1881, p. 33.)

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

"SEC. 1. In every mining district in this state in which the seat of government of any county is situated the

county recorder of said county shall be *ex-officio* district mining recorder, subject in the discharge of his duties to such rules, regulations, and compensations as may be now in force or hereafter prescribed by the mining laws of the mining districts respectively to which this act is applicable. He shall, as such *ex-officio* mining recorder, be responsible on his official bond for the faithful performance of the duties of his office and the correct and safe keeping of all the records thereof, and the correct and safe keeping of the copies of all the records mentioned and referred to in section two of this act".

SEC. 2. It shall be the duty of each and every mining recorder of the several mining districts in the state, on or before the first Monday in January, April, July, and October in each year, to transcribe into a suitable book or books, to be provided for that purpose, and to deposit and file with the county recorders of the respective counties in which said mining districts may be located a full, true, and correct copy of the mining records of the respective mining districts for the three months next preceding said first Mondays in January, April, July, and October, duly certified under oath: *Provided*, This section shall not apply to the mining recorder created by section one of this act.

SEC. 3. There shall be provided by the county commissioners of the several counties in this state, and furnished to each mining recorder, on his application, suitable books, into which the mining records mentioned in section two of this act shall be transcribed.

SEC. 4. The several mining recorders shall receive, for services herein required by section two of this act, one dollar for the transcript of each claim, including the oath, which shall be paid at the time of recording by the parties making the locations.

SEC. 5. The certified copies of the mining records, certified to be deposited and filed as herein provided, shall be received in evidence and have the same force and effect in all courts as the original.

SEC. 6. Any person neglecting or refusing to comply with the provisions of section two of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and prisonment.

SEC. 7. This act shall take effect and be in force from and after the first day of April, A. D. 1881.

NOTE.—The act of March 6, 1879, hereby amended, is in Stats. 1879, p. 80.

NEW MEXICO.

SESSION LAWS OF 1871-'72.

CHAP. XXXV.

AN ACT to amend certain acts concerning mining-claims in the territory of New Mexico. (Approved February 1, 1872, p. 52.)

SECTION 1. That section one of the act approved January 18, 1865, entitled "An act concerning mining-claims", be, and the same is hereby, so amended as to read as follows, to wit: "That every discoverer of a lode, ledge, or vein of gold-bearing quartz, or of a lode, crevice, or deposit of silver, cinnabar, copper, lead, coal, or any other ore, or the same mixed with other metals or ores, shall have the privilege of locating and holding as against all persons and powers, except the United States, two claims, of two hundred feet each, or four hundred feet of the length of such lode, ledge, vein, deposit, or crevice, horizontal measurement, of its entire width, including all its dips, openings, spurs, angles, and variations, with a right to follow such vein to any depth, together with a reasonable quantity of surface for the convenient working of the same".

SEC. 2. That section second of the said act approved January 18, 1865, be, and the same is hereby, so amended as to read as follows, to wit: "That all other persons who are or shall be capable of holding and conveying real estate by the laws of this territory shall have the privilege of locating and holding one claim, of two hundred feet in length, horizontal measurement, on any lode, ledge, or vein of gold-bearing quartz, or any lode, opening, crevice, or deposit of silver, cinnabar, lead, copper, coal, or any other ore, or the same mixed with other metals or ores, of its entire width, including all of its dips, openings, spurs, angles, and variations, with a right to follow such vein to any depth, together with a reasonable quantity of surface for the convenient working of the same: *Provided*, That such claim shall not interfere with the location made by the discoverer of such lode, ledge, vein, crevice, or deposit, as provided in section one of this act".

SEC. 3. *And be it further enacted*, That so much of section seven of the said act approved January 18, 1865, as authorizes companies of two or more persons to locate and hold one mining-claim of three hundred feet for each member of such company, and so much of said act as provides that no company shall locate more than four claims, including one discovery claim, or one thousand five hundred feet in all, upon any one vein or mine, and so much of said section as further provides that a company may acquire by purchase but four mining-claims, and this under the same condition as bound the vendors, be, and the same is hereby, repealed, and in lieu thereof it is hereby enacted that such companies may locate and hold in manner aforesaid one mining-claim of two hundred feet for each member

of such company: *Provided*, That no person may make more than one location on the same lode, and not more than three thousand feet shall be taken in any one claim by any association of persons.

SEC. 4. *And be it further enacted*, That so much of sections one and two of the act approved January 3, 1866, entitled "An act concerning mining-claims", as allows a claimant or claimants to mining property within the county of Doña Ana, territory of New Mexico, three years instead of twelve months from and after the location of a mining-claim to open or cause to be opened the shaft on such claim, be, and the same is hereby, repealed: *Provided*, That this repeal of such portions of the said sections one and two of the said act approved January 3, 1866, shall be construed to apply to all the territory included in the county of Doña Ana at the time of the approval of said act of January 3, 1866.

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall be in full force and effect from and after its approval.

NOTE.—This act and the act hereby amended are repealed by "An act to regulate the manner of locating mining-claims, and for other purposes", approved January 11, 1876 (Sess. Laws, 1875–'76, p. 116).

SESSION LAWS, SESSION 1875–'76.

AN ACT to regulate the manner of locating mining-claims, and for other purposes. (Approved January 11, 1876, p. 116.)

SECTION. 1. That any person or persons desiring to locate a mining-claim upon a vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposit must distinctly mark the location on the ground so that its boundaries may be readily traced, and post in some conspicuous place on such location a notice in writing stating thereon the name or names of the locator or locators, his or their intention to locate the mining-claim, giving a description thereof by reference to some natural object or permanent monument as will identify the claims, and also, within three months after posting such notice, cause to be recorded a copy thereof in the office of the recorder of the county in which the notice is posted, and provided no other record of such notice shall be necessary.

SEC. 2. In order to carry out the intent of the preceding section it is hereby made the duty of the probate judges of the several counties of this territory, and they are hereby required to provide, at the expense of their respective counties, such book or books as may be necessary and suitable in which to enter the record hereinbefore provided for. The fees for recording such notices shall be ten cents for every one hundred words.

SEC. 3. That in estimating the worth of labor required to be performed upon any mining-claims, to hold the same by the laws of the United States in the regulation of mines, the value of a day's labor is hereby fixed at the sum of four dollars: *Provided, however*, That in the sense of this statute eight hours of labor actually performed upon the mining-claim shall constitute a day's labor.

SEC. 4. All locations heretofore made in good faith, to which there shall be no adverse claims, the certificate of which locations have been or may be filed for record and recorded in the recorder's office of the county where the location is made within six months after the passage of this act are hereby confirmed and made valid. But where there may appear to be any such adverse claim the said location shall be held to be the property of the person having the superior title or claim according to the laws in force at the time of the making of the said locations.

SEC. 5. An action of ejectment will lie for the recovery of the possession of a mining-claim, as well also of any real estate, where the party suing has been wrongfully ousted from the possession thereof and the possession wrongfully detained.

SEC. 6. That "An act concerning mining-claims", approved January 18th, 1865, and an act amendatory thereof, approved January 3d, 1866, also an act entitled "An act to amend certain acts concerning mining-claims in the territory of New Mexico", approved February 1st, 1872, be, and the same are hereby, repealed: *Provided*, That no locations completed or commenced under said act shall be invalidated or in any wise affected by such repeal.

SEC. 7. That this act shall take effect and be in full force from and after its passage.

SESSION LAWS OF 1880.

CHAP. XVI.

AN ACT for the enforcement of liens. (Approved February 10, 1880, p. 64.)

SECTION 1. A lien is a charge imposed upon specific property, by which it is made security for the performance of an act.

SEC. 2. Every person performing labor upon or furnishing materials to be used in the construction, alteration, or repair of any mining-claim, building, wharf, bridge, ditch, flume, tunnel, fence, machinery, railroad, wagon road, or aqueduct to create hydraulic power, or any other structure, or who performs labor in any mining-claim, has a lien upon the same for the work or labor done or materials furnished by each, respectively, whether done or furnished at

the instance of the owner of the building or other improvements, or his agent; and every contractor, subcontractor, architect, builder, or other person having charge of any mining, or of the construction, alteration, or repair, either in whole or in part, of any building or other improvement, as aforesaid, shall be held to be the agent of the owner for the purposes of this act.

* * * * * * * * *

SEC. 4. The land upon which any building, improvement, or structure is constructed, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien, if at the commencement of the work, or of the furnishing of the materials for the same, the land belonged to the person who caused said building, improvement, or structure to be constructed, altered, or repaired, but if such person owned less than a fee-simple estate in such land, then only his interest therein is subject to such lien.

SEC. 5. The liens provided for in this act are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also to any lien, mortgage, or other incumbrance of which the lien-holder had no notice, and which was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

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GENERAL LAWS OF 1880.

ART. XVI, CHAP. XLI.—CORPORATIONS.

General incorporation act. Chap. 3, of 1868.

SECTION 1. Corporations for mining, manufacturing, or other industrial pursuits, or the construction or operation of railroads, wagon roads, irrigating ditches, and the colonization and improvement of lands in connection therewith, or for colleges, seminaries, churches, libraries, or any benevolent, charitable, or scientific associations, may be formed according to the provisions of this act, such corporation and the members thereof being subject to all the conditions and liabilities herein imposed, and to none others.

NOTE.—As amended 1876, ch. 37 (Sess. Laws, 1876, p. 115).

SEC. 2. Any three or more persons who may desire to form a company for any one or more of the purposes specified in the preceding section may make, sign, and acknowledge before the secretary of the territory, or some officer competent to take the acknowledgment of deeds, and file in the office of the secretary of the territory, a statement in writing (for the filing of which said certificate the secretary shall receive a fee of ten dollars), in which shall be set forth the full names of such persons, the corporate name of the company, the objects for which the company shall be formed, the amount of its capital stock, the time of its existence, not to exceed fifty years, the number of shares of which the stock shall consist, the number of directors, and their names, who shall manage the concerns of the company for the first three months, and the name of the city or town and county in which the principal place of business of the company is to be located. A copy of said certificate, duly certified by the secretary of the territory, shall be filed in the office of the probate clerk in the county where the principal place of business of the corporation is located. The secretary of the territory, upon the payment of fees authorized by law, shall furnish any person interested as many certified copies as he may require.

SEC. 3. A copy of any certificate of incorporation filed in pursuance of this act, and certified by the secretary of the territory, shall be received in all the courts and places as presumptive evidence of the facts therein.

SEC. 4. When the certificate shall have been filed, the persons who shall have signed and acknowledged the same, their associates and successors, shall be a body politic and corporate, in fact and in name, by the name stated in the certificate, and by their corporate name have succession for the period limited, and power: 1st. To sue and be sued in any court; 2d. To make and use a common seal, and alter the same at pleasure; 3d. To purchase, hold, sell, mortgage, and convey such real and personal estate as the purposes of the corporation shall require; 4th. To appoint such officers, agents, and servants as the business of the corporation shall require, to define their power, prescribe their duties, and fix their compensation; 5th. To require of them such security as may be thought proper for the fulfillment of their duties, and to remove them at will, except that no director shall be removed from office unless by a vote of two-thirds of the whole number of directors; 6th. To make by-laws, not inconsistent with the laws of this territory, for the organization of the company, the management of its property, the regulation of its affairs, the transfer of its stock, and for carrying on all kinds of business within the objects and purposes of the company.

SEC. 5. The corporate powers of the corporation shall be exercised by a board of not less than three directors, who shall be stockholders of the company, and a majority of them citizens of the United States and residents of this territory, and who shall, after the expiration of the term of the directors first selected, be annually elected by the stockholders, at such time and place, and upon such notice, and in such mode, as shall be directed by the

by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he owns shares of stock, and the persons receiving the greatest number of votes shall be directors. When any vacancy shall happen among the directors, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as may be provided by the laws of the company.

SEC. 6. If it should happen at any time that an election of directors shall not be made on the day designated by the by-laws of the company, the corporation shall not for this reason be dissolved, but it shall be lawful on any other day to hold an election for directors in such manner as shall be provided for by the by-laws of the company; and all acts of directors shall be valid and binding upon the company until their successors shall be elected.

SEC. 7. A majority of the whole number of directors shall form a board for the transaction of business, and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

SEC. 8. The first meeting of the directors shall be called by a notice, signed by one or more of the persons named directors in the certificate, setting forth the time and place of the meeting, which notice shall be either delivered personally to each director, or published at least ten days in some newspaper of the county in which is the principal place of business of the corporation, or if no newspaper be published in the county, then by posting up legible notices in six of the most public places in said county for the period before named.

SEC. 9. The stock of the company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the company; but no transfer shall be valid, except between the parties thereto, until the same shall be so entered on the books of the company as to show the names of the parties by and to whom transferred, the number and designation of the shares, and the date of the transfer.

SEC. 10. The directors shall have power to call in and demand from the stockholders the sum by them subscribed at such time and in such payments as they may deem proper; notice of each assessment shall be given to the stockholders personally, or shall be published once a week for at least four weeks in some newspaper published at the place designated as the principal place of business of the corporation, or if none be published there, then by posting such notice for that period in at least six of the most public places in the county in which said principal place of business of the corporation is located. If, after each notice has been given, any stockholder shall make default in the payment of the assessment upon the shares held by him, so many of such shares may be sold as will be necessary for the payment of the assessment on all the shares held by him. The sale of said shares shall be made as prescribed in the by-laws of the company: *Provided*, That no sales shall be made except at public auction to the highest bidder, after a notice of thirty days, published as above directed in this section; and that at such sale the person who will agree to pay the assessment so due, together with the expense of advertising and other expenses of sale, for the smallest number of whole shares, shall be deemed the highest bidder.

SEC. 11. Whenever any stock is held by any person as executor, administrator, guardian, or trustee he shall represent such stock at all meetings of the company, and may vote accordingly as a stockholder.

SEC. 12. Any stockholder may pledge his stock by a delivery of the certificates or other evidence of his interest, but may nevertheless represent the same at all meetings and vote accordingly as a stockholder.

SEC. 13. It shall not be lawful for the directors to make any dividend except from the surplus profits arising from the business of the corporation, nor to divide, withdraw, or in any way pay to the stockholders, or any of them, any part of the capital stock of the company, nor to reduce the capital stock, unless in the manner prescribed in this act; and in case of any violations of the provisions of this section, the directors under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of directors at the time, or were not present when the same did happen, shall, in their individual and private capacities, be jointly and severally liable to the corporation, and the creditors thereof in the event of its dissolution, to the full amount so divided, withdrawn, paid out, or reduced: *Provided*, That this section shall not be construed to prevent a division and distribution of the capital stock of the company which shall remain after the payment of all its debts upon the dissolution of the corporation or the expiration of its charter.

SEC. 14. The total amount of debts of the corporation shall not at any time exceed the amount of the capital stock, and in case of any excess, the directors under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of directors at the time, and except those who were not present when the same did happen, shall, in their individual and private capacities, be liable jointly and severally to the said corporation, and, in the event of its dissolution, to any of the creditors thereof, for the full amount of such excess.

SEC. 15. No person holding stock as executor, guardian, or trustee, or holding it as collateral security or in pledge, shall be personally subject to any liability as a stockholder in the company; but the person pledging the stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and the estate and funds in the hands of the executor, administrator, guardian, or trustee shall be liable in like manner and to the extent as the testator or intestate, or as the ward or person interested in the trust fund would have been, if he had been living and competent to act and hold the stock in his own name.

SEC. 17. Any company incorporated under this act may, by complying with the provisions herein contained, increase or diminish its capital stock to any amount which may be deemed sufficient and proper for the purposes of the corporation; but before any corporation shall be entitled to diminish the amount of its capital stock, if the

amount of its debts and liabilities shall exceed the sum to which the capital is to be diminished, such amount shall be satisfied and reduced so as not to exceed the diminished amount of capital.

SEC. 18. Whenever it is desired to increase or diminish the amount of capital stock, a meeting of stockholders may be called by a notice, signed by at least a majority of the directors, and published for at least four weeks as provided in section ten of this act, which notice shall specify the object of the meeting, the time and place where it is to be held, and the amount to which it is proposed to increase or diminish the capital, and a vote of two-thirds of all the shares of stock shall be necessary to increase or diminish the amount of capital stock.

SEC. 19. If at any meeting so called a sufficient number of votes has been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital actually paid in, the whole amount of the debts and liabilities of the company, and the amount to which the capital stock is to be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman and secretary of the meeting, certified by a majority of the directors, and filed as required by section two of this act, and when so filed the capital stock of the corporation shall be increased or diminished to the amount specified in the certificate.

SEC. 20. Upon the dissolution of any corporation formed under this act the directors at the time of dissolution shall be directors of the creditors and stockholders of the corporation dissolved, and shall have full power to sue for and recover the debts and property of the corporation by the name of the directors of such corporation, collect and pay the outstanding debts, settle its affairs, and divide amongst the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

SEC. 21. Any corporation formed under this act may dissolve and disincorporate itself by presenting, to the probate or county judge of the county in which the meetings of the directors are usually held, a petition to that effect, accompanied by a certificate of its proper officers, and setting forth that at a general or special meeting of the stockholders, called for that purpose, it was decided by a vote of two-thirds of all the stockholders to disincorporate and dissolve the corporation; notice of application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published as provided in section ten of this act. At the time and place appointed, or at any other to which it may be postponed by the judge, he shall proceed to consider the application, and if satisfied that the corporation has taken the necessary preliminary steps, and obtained the necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

SEC. 22. If any corporation formed under this act shall not organize and commence the transaction of its business within two years from the date of filing the certificate of its incorporation, its corporate powers shall cease.

SEC. 23. All corporations heretofore formed by virtue of any law of the territory of New Mexico shall comply with and conform to the provisions of this act, so far as the same shall be applicable, and shall not interfere with any vested right.

SEC. 24. Whenever any persons shall have formed themselves into an incorporation according to the provisions of this act, it shall not be lawful for any other persons to become incorporated under the same name or designation, nor for the same immediate purpose. This last provision shall not apply to mining, mechanical, or manufacturing operations.

AN ACT amending the general corporation act. (Gen. Laws, p. 212.)

SECTION 1. Every company or corporation incorporated under the laws of any foreign state or kingdom, or of any state or territory of the United States beyond the limits of this territory, and now or hereafter doing business in this territory, shall file in the office of the secretary of this territory, and in the office of the recorder of deeds of the county in which the principal place of business of such corporation shall be, a copy of its charter of incorporation, or, in case such company is incorporated under any general incorporation law, a copy of its articles of incorporation and of such general incorporation law, all duly certified and authenticated by the proper authority of such foreign state, kingdom, or territory. Such company shall also, before it is authorized or permitted to do business in this territory, make and file with the secretary of the territory, and in the office of the recorder of deeds of the county in which its principal place of business shall be, a certificate, signed by the president and secretary of such company, duly acknowledged, designating the principal place where the business of such company shall be carried on in this territory, and an authorized agent or agents residing at such principal place of business upon whom process may be served; and such corporation shall have the same powers and shall be subject to all the liabilities and duties as corporations of a like character organized under the general laws of this territory, but they shall have no other or greater powers; and no foreign or domestic corporation established or maintained in any way for pecuniary profit of its stockholders or members shall purchase or hold real estate in this territory, except as provided for in this act and the laws of the territory now existing, and no corporation doing business in this territory, incorporated under the laws of any other state, shall be permitted to mortgage, pledge, or otherwise incumber its real or personal property situated in this territory to the injury or exclusion of any citizen, citizens, or corporations of this territory who are creditors of such foreign corporation, and no mortgage by any foreign corporation, except railroad and telegraph companies, given to secure any debt created in any other state, shall

take effect as against any citizen or corporation of this territory until all its liabilities due to any person or corporation in this territory at the time of recording such mortgage have been paid and extinguished.

SEC. 2. A failure to comply with the provisions of the foregoing section shall render each and every officer, agent, and stockholder of any such corporation so failing, jointly, severally, and personally liable on any and all contracts of such company made within this territory during the time that such company is so in default.

SEC. 3. The several certificates, charters, and statutes mentioned in section one of this act shall be by the secretary of the territory filed and preserved in his office, and he shall be entitled therefor to the same fees as are allowed him by law for filing articles of incorporation. Copies of such charters, statutes, and certificates, duly certified by the secretary of the territory under his seal of office, shall be competent evidence in all courts of this territory of the corporate character of such companies and of their powers, duties, and liabilities, and the originals thereof may be used in like manner, be used in evidence of these matters with like effect.

SEC. 4. Suits may be instituted and prosecuted by and against any corporation formed or recognized [organized] under this act in the same manner and in like cases as natural persons.

SEC. 5. The certified copy of any articles of incorporation and changes thereof, together with all indorsements thereon, under the great seal of the territory of New Mexico, shall be taken and received in all courts and places as *prima-facie* evidence of the facts therein stated.

SEC. 6. In suits against any corporation summons shall be served in that county where the principal office of the corporation is kept or its principal business carried on, by delivering a copy to the president thereof, if he may be found in said county, but if he is absent therefrom, then the summons shall be served in like manner in the county on either the vice-president, secretary, treasurer, cashier, general agent, general superintendent, or stockholder, or any agent of said corporation, within such time and under such rules as are provided by law for the service of such process in suits against real persons, and if no such person can be found in the county where the principal office of the corporation is kept, or in the county where its principal business is carried on, to serve such process upon, a summons may issue from either one of such counties, directed to the sheriff of any county in this territory where any such person may be found, and served with process. If such corporation keeps no principal office in any county, and there is no county in which the principal business of such corporation is carried on, then suit may be brought against it in any county where the above-mentioned officers, or any or either of them, may be found: *Provided*, That the plaintiff may, in all cases, bring his action in the county where the cause of action accrued.

SEC. 7. It shall be the duty of the directors or trustees of every such corporation, except railroad or telegraph corporations, to cause a book to be kept by the secretary or clerk thereof, containing the names of all persons, alphabetically arranged, who are or shall within one year have been stockholders of such corporation, and showing their place of residence, the number of shares of stock held by them respectively, and the time when they respectively became the owners of such shares, and the time when they ceased to be stockholders, and the amount of stock actually paid in, and what proportion has been paid in cash; which book shall, during the usual business hours of the day, be open for the inspection of the stockholders and creditors of the company and their personal representatives, at the office or principal place of business of such company, in the county where its business operations shall be located; and any and every such stockholder, creditor, or representative shall have a right to make extracts from such books, and no transfer of stock shall be valid for any purpose whatever, except to render the person to whom it shall be transferred liable for the debts of the company, according to the provisions of this act, unless it shall have entered therein, as required by this section, within sixty days from the date of such transfer, by an entry showing to and from whom transferred. Such books shall be presumptive evidence of the facts therein stated in any suit or proceedings of such corporation or against any one or more stockholders. Every officer or agent of any such company who shall neglect to make any proper entry in any such book, or shall refuse or neglect to exhibit the same, or allow the same to be inspected and extracts taken therefrom, shall be, as provided by this section, deemed guilty of a misdemeanor, and the corporation shall forfeit and pay to the party injured a penalty of fifty (50) dollars for every such neglect or refusal, and all the damages resulting therefrom.

SEC. 8. The dissolution, for any cause whatever, of corporations created as aforesaid shall not take away or impair any remedy given against such corporation, its stockholders, or officers for any liabilities incurred previous to its dissolution.

SEC. 9. Corporations may be formed and may do business in this territory under the laws of the territory now existing, and subject to the provisions of this act, to acquire, hold, improve, develop, and manage any hot, mineral, or other sanitary spring, or to lay off land into town-sites, blocks, lots, streets, alleys, avenues, commons, and parks, and to acquire, hold, colonize, improve, and sell lands in connection with any or all of said objects.

CHAP. XXXIV.—EXECUTIONS.

Property exempt from execution.

SECTION 1. Every person having a family shall have the following property exempt from execution and distraint or sale for any debt or damages:

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Fourth. The tools and implements belonging to the debtor that may be necessary to enable him to carry on his trade or business, whether agricultural or mercantile, to be selected by him, and not to exceed twenty dollars in value.

NOTE.—Act of February 2, 1865 (Gen. Laws, p. 160).

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AN ACT to amend the revenue laws of the territory (Approved January 14, 1876; Gen. Laws, 1876, p. 521.)

SECTION 1. The following property, and no other, shall be exempt from taxation under the revenue laws of the territory:

First. All property belonging to the United States. * * *

Fourth. All public ditches and canals used for purposes of irrigation. * * *

SEC. 2. All other property, of whatsoever description, shall be assessed and taxed as now provided by law. * * *

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ART. XXXII, CHAP. LXXIII.—LIMITATIONS.

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SECTION 2. No person or persons, or their heirs or assigns, shall have or maintain any action or suit, either in law or equity, for any lands, tenements, or hereditaments, but within ten years next after his, her, or their right to commence, have, or maintain such suit shall have come, fallen, or accrued, and that all suits, either in law or equity, for the recovery of any lands, tenements, or hereditaments shall be had and sued within ten years next after the title or cause of action or suits accrued or fallen, and at no time after the ten years shall have passed: *Provided,* That if any person or persons that is or shall be entitled to commence and prosecute such suit or action in law or equity be or shall be, at the time of said right or title first accrued, come, or fallen, within the age of twenty-one years, *femme-covert, non compos mentis,* imprisoned, or beyond the limits of the United States and the territories thereof, that then such person or persons, his, her, or their heir or heirs, shall and may, notwithstanding the said ten years be expired, bring his or her suit or action as he, she, or they might have done before the passage of this act, so as such person or persons, his, her, or their heir or heirs shall, within three years next after his, her, or their full age, discoverture, coming of sound mind, enlargement out of prison, coming into the United States or the territories thereof, or death, take benefit of and commence such suit at no time after the said three years: *Provided, also,* That in the construction of this saving no cumulative disability shall prevent this bar, but shall only apply to that or these disabilities which existed at the time when the right to sue first accrued, and to no other: *Provided further,* That such action so commenced shall be an action prosecuted with effect, and no other.

NOTE.—Act of February 1, 1858 (Gen. Laws, p. 375).

OREGON.

GENERAL LAWS OF 1843-1872.

CHAP. XXXVIII.—OF MINES.

Sec.
1. Claim located on quartz-lead, containing gold, silver, etc., to be held, with dips, spurs, etc., 300 feet in length and 75 feet in width.
2. Claim, how established; posting notice and effect of; recording claim; work equivalent to record; failure to work; when forfeits claim.
3. Plurality of claims; when allowed, by purchase, by discovery; no one but discoverer to locate but one claim on lead.
4. Claim to be worked within a year from record; value of annual work; forfeiture for want of work; corporation may work upon one claim for all claims in lead; when deemed real estate; taxing improvements on.
5. County clerk to record proceeding of miners organizing district; may appoint deputy for district to record claims and water-rights; copy of record to be sent to clerk monthly; copy to be subject to inspection.
6. Miners may make local laws as to water-rights, placer-claims, and town lots, subject to laws of the United States.
7. Ditches and flumes, when deemed real property; forfeiture of.
8. Law of conveyance and mechanics' and laborers' lien, in relation to real property, to apply to ditches and flumes; placer-claims transferred by bill of sale and possession; bill of sale to be recorded, when and where.
9. Mortgage of placer-claims to be treated as chattel mortgage.
10. Fees of county clerk for recording conveyance or mortgage.

SECTION 1. That any person or company of persons establishing a claim on any quartz-lead containing gold, silver, copper, tin, or lead, or a claim on a vein of cinnabar, for the purpose of mining the same, shall be allowed to have, hold, and possess the land or vein, with all its dips, spurs, and angles, for the distance of three hundred feet in length and seventy-five feet in width on each side of such lead or vein.

SEC. 2. To establish a valid claim the discoverer or person wishing to establish a claim shall post a notice on the lead or vein, with name or names attached, which shall protect the claim or claims for thirty days; and before the expiration of said thirty days he or they shall cause the claim or claims to be recorded as hereinafter provided, and describing, as near as may be, the claim or claims and their location; but continuous working of said claim or claims shall obviate the necessity of such record. If any claim shall not be worked for twelve consecutive months, it shall be forfeited and considered liable to location by any person or persons, unless the owner or owners be absent on account of sickness or in the service of their country in time of war.

SEC. 3. Any person may hold one claim by location, as hereinafter provided, upon each lead or vein, and as many by purchase as the local laws of the miners in the district where such claims are located may allow; and the discoverer of any new lead or vein not previously located upon shall be allowed one additional claim for the discovery thereof. Nothing in this section shall be so construed as to allow any person not the discoverer to locate more than one claim upon any one lead or vein.

SEC. 4. Every person or company of persons, after establishing such claim or claims, shall, within one year after recording or taking such claim or claims, work or cause to be worked the said claim to the amount of fifty dollars for each and every claim: *Provided*, That any person or company, either joint or incorporate, owning claims on any lead or vein shall be allowed to work upon any one claim the whole amount required as above for all the claims, and thereby be exempted from working on the rest of his or their claims in said lead or vein: *Provided further*, That when the individual, company, or corporation owning any quartz claim or claims shall file the affidavit of said owner, or one of the members of the company or corporation, with the county clerk of the county in which said claims are situated, to the effect that the amount of work required by this act has been performed on such claim, or if there be more than one claim, then on each of them, together with the affidavit of two disinterested persons to the same effect, with the addition "that they are not interested directly or indirectly in said claim or claims", and such claims shall thereafter be considered as real estate, and the title therein shall be vested in such person, company, or corporation against all others, save the government of the United States, and the improvements, machinery, and buildings thereon only shall be taxed as other property.

SEC. 5. It shall be the duty of the county clerk of any county, upon the receipt of notice of a miners' meeting organizing a miners' district in said county, with a description of the boundaries thereof, to record the same in a book to be kept in his office, as other county records, to be called "a book of record of mining-claims"; and, upon the petition of parties interested, he may appoint a deputy for such district, who shall reside in said district or its vicinity, and shall record all mining-claims and water-rights in the order in which they are presented for record, and shall transmit a copy of such record, at the end of each month, to the county clerk, who shall record the same in the above-mentioned book of record, for which he shall receive one dollar for each and every claim. It shall further be the duty of said county clerk to furnish a copy of this act to his said deputy, who shall keep the same in his office, open at all reasonable times for the inspection of all persons interested therein.

SEC. 6. Miners shall be empowered to make local laws in relation to the possession of water-rights, the possession and working of placer-claims, and the survey and sale of town lots in mining camps, subject to the laws of the United States.

SEC. 7. That ditches used for mining purposes and mining flumes permanently affixed to the soil be, and the same are hereby, declared real estate during the time the same shall be used for that purpose: *Provided*, That whenever any person, company, or corporation, being the owner or proprietor of any such ditch, flume, or water-right, have or shall abandon the same, and who shall for one year thereafter cease to exercise ownership over said water-right, ditch, or flume, and every company, corporation, or person who shall remove from this state with the intent or purpose to change his or their residence, and shall remain absent one year without using or exercising ownership over such water-right, ditch, or flume by a legally-authorized agent, shall be deemed to have lost all title, claim, or interest therein.

SEC. 8. That the laws relative to the sale and transfer of real estate, and the application of the liens of mechanics and laborers therein, be, and they are hereby, made applicable to said ditches and flumes: *Provided*, That all interests in mining-claims known as placer or surface diggings may be granted, sold, and conveyed by bill of sale and delivery of possession as in cases of the sale of personal property: *Provided further*, That the bills of sale or conveyances executed on the sale of any placer or surface mining-claim shall be recorded within thirty days after the date of such sale, in the office of the county clerk of the county in which such sale is made, in a book to be kept by the county clerk for that purpose, to be called the record of conveyances of mining-claims.

SEC. 9. Mortgages of interests in placer or surface mining-claims shall be executed, acknowledged, recorded, and foreclosed as mortgages of chattels.

SEC. 10. The county clerk shall be entitled to a fee of one dollar each for every conveyance or mortgage recorded under the provisions of this act.

CHAP. XIII.—OF ACTIONS TO RECOVER POSSESSION OF MINING-CLAIM. (Gen. Laws, p. 479.)

Sec.
125. Justice's court has jurisdiction of.
126. Pleadings in writing; what complaint must contain.
127. Answer of the defendant.
128. One year's adverse possession a bar to action, if pleaded.
129. Judgment for plaintiff, how given and enforced.
130. Judgment for defendant.
131. Regulations of mining district may be proven as facts, and effect of.
132. Appeal from judgment and stay of proceedings.
133. Action to be governed by law regulating other civil actions, except, etc.

SECTION 125. A justice's court has jurisdiction of an action to recover the possession of a mining-claim situate within the county where such court is holden, as in this chapter provided.

SEC. 126. The pleadings in such action must be in writing, and the complaint must set forth the facts constituting the plaintiff's right of possession, together with such a description of the mining-claim as can be conveniently given, and sufficient to identify it, and that the defendant wrongfully withholds the possession thereof from the plaintiff.

SEC. 127. The answer of the defendant must contain a specific denial of each material allegation of the complaint controverted by him, or of any knowledge or information thereof sufficient to form a belief, and a statement of any new matter constituting a defense to the action.

SEC. 128. One year's adverse possession of a mining-claim immediately preceding the commencement of an action therefor, by the defendant or those under whom he holds, if pleaded, is a bar to the action for the possession thereof.

SEC. 129. If, on the trial of the action, judgment be given for the plaintiff, it must be to the effect that the plaintiff recover the possession of the mining-claim mentioned in the complaint, or such part thereof as he may be found entitled to, together with the costs and disbursements of the action, and thereafter the plaintiff is entitled to have such judgment enforced by a writ of restitution, which writ shall be deemed an execution against property so far as such costs and disbursements are concerned.

SEC. 130. If judgment be given for the defendant, it must be to the effect that the plaintiff is not entitled to the possession of the mining-claim mentioned in the complaint, or any part thereof, and that the defendant recover of the plaintiff the costs and disbursements of the action.

SEC. 131. On the trial of an action to recover the possession of a mining-claim, the customs, usages, or regulations established and in force in the mining district or diggings in which such claim is situated, not in conflict with any law of the United States or of this state, so far as they may be pertinent and applicable to the issue to be tried, may be proven as facts, and when so proven shall be deemed the law governing the rights of the parties thereto.

SEC. 132. Either party may take an appeal from a final judgment given in an action to recover the possession of a mining-claim, and the restrictions and limitations upon the right of appeal in civil actions, elsewhere provided in this act, do not apply thereto. The undertaking for a stay of proceedings upon the judgment, when the appeal is taken by the defendant, must be in such an amount as may be deemed sufficient to compensate the plaintiff for the use or profits of the claim during the pendency of the appeal, and for costs and disbursements of the action. The amount of the undertaking must be determined by the justice, and he may hear evidence to enable him to make such determination.

SEC. 133. Except as in this chapter otherwise provided, an action to recover possession of a mining-claim must be commenced and proceeded in to the final determination, and the judgment therein enforced, or appealed from, or reviewed, as other civil actions in justices' courts.

CHAP. L, TITLE 1.—OF PUBLIC ROADS AND PRIVATE WAYS; LOCATION AND ALTERATION OF; WORK ON PUBLIC ROADS; SUPERVISORS AND THEIR DUTIES. (Gen. Laws, p. 720.)

Private way.

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SECTION 15. Any person whose land shall be so situated that it has no connection with any public road may make application in writing to the county court of his county at a regular session for a private road leading from his premises to some convenient public road, and thereupon the court shall appoint three disinterested householders of the county as viewers, and cause an order to be issued directing them to meet, on a day named in such order, to view and locate a private road according to the application, and to assess the damages to be sustained thereby; and after being duly sworn or affirmed faithfully and impartially to discharge the duties of their appointment, and after at least three days' notice given to all persons through whose lands such private road is to be located, such viewers shall proceed to locate and mark out a private road, thirty feet in width, from some certain point on the premises of the applicant to some certain point on the public road, so as to do the least damage to the lands through which such private road is located, and they shall also, at the same time, assess the damage sustained by the person or persons owning such lands.

SEC. 16. The viewers appointed in accordance with provisions of the preceding sections of this chapter shall have power to determine, in all cases, whether or not gates shall be placed at proper points on said road, and assess damages in accordance with that determination.

SEC. 17. The viewers so appointed, or a majority of them, shall make a report to the county court, at the next regular session, of the private road so located by them, and also the amount of damages, if any, assessed by them, and the person or persons entitled to such damages; and if the county court is satisfied that such report is just, and after payment by the applicant of all costs of locating such road and the damages assessed by the viewers, the court shall order such report to be confirmed, and declare such road to be a private road, and the same shall be recorded as such; and any person aggrieved by the assessment of damages may appeal, within twenty days after such confirmation of the report, to the circuit court.

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CHAP. VII.—OF PRIVATE CORPORATIONS, ETC. (Gen. Laws, p. 524.)

TITLE I.—*Of general provisions in relation to the formation of private corporations.*

Sec.
1. Three or more persons may form corporation for any lawful business.
2. Articles of incorporation, how made and filed.
3. Articles to be evidence of corporation's existence.
4. Articles of incorporation, what to specify.
5. Body corporate; when to date from; powers of.
6. Corporations to receive stock and call meeting for election of directors; railway corporations may organize when one-half of stock subscribed.
7. Corporators to be inspectors of election; who may vote.
8. Qualifications of directors; railway corporations may allow a minority of directors to reside out of the state.
9. Powers of directors; appointment of president and secretary.
10. Notice of first meeting of stockholders; meeting may be held at any time and without notice, by consent and presence of stockholders; notice of subsequent meetings.
11. Directors elected annually; a majority may act.
12. Corporation to keep stock-book; subjected to inspection by person interested.
13. Stock to be deemed personal property; in case of sale, corporation to make transfer.
14. Sale of stock, effect of.
15. Wrongdoing of directors, liability for; director dissenting not liable.
16. Non-user of corporate power, effect of.
17. Corporations continue to exist after dissolution for certain purposes.
18. Special corporations may incorporate under this act; effect thereof.
19. Majority of stockholders may vote to increase or diminish stock, dissolve corporation, etc.; limit of capital stock except as to railways.
20. Corporations for navigation may build roads across portages; prohibitions on taking stock in corporation to construct road.
21. Place of business, majority vote of stockholders may change.
22. Supplementary articles, what may be filed; notice thereof to be published.

SECTION 1. Whenever three or more persons shall desire to incorporate themselves for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, they may do so in the manner provided in this chapter.

SEC. 2. Such persons shall make and subscribe written articles of incorporation in triplicate, and acknowledge the same before any officer authorized to take the acknowledgment of a deed, and file one of such articles in the office of the secretary of state, another with the clerk of the county where the enterprise, business, pursuit, or occupation is proposed to be carried on, or the principal office or place of business is proposed to be located, and retain the third in the possession of the corporation.

SEC. 3. The articles of incorporation, or a certified copy of the one filed with the secretary of state or the county clerk, is evidence of the existence of such corporation.

SEC. 4. The articles of incorporation shall specify:

1. The name assumed by the corporation, and by which it shall be known, and the duration of the corporation, if limited;

2. The enterprise, business, pursuit, or occupation in which the corporation proposes to engage;

3. The place where the corporation proposes to have its principal office or place of business;

4. The amount of the capital stock of the corporation;

5. The amount of each share of such capital stock;

6. If the corporation is formed for the purpose of navigating any stream or other water, or making or constructing any railway, macadamized road, plank road, clay road, canal, or bridge, the termini of such navigation, road, canal, or the site of such bridge.

SEC. 5. Upon the making and filing of the articles of incorporation, as herein provided, the persons subscribing the same are corporators, and authorized to carry into effect the object specified in the articles, in the manner provided in this chapter; and they and their successors, associates, and assigns, by the name assumed in such articles, shall thereafter be deemed a body corporate, with power:

1. To sue and be sued;

2. To contract and be contracted with;

3. To have and use a corporate seal, and the same to alter at pleasure;

4. To purchase, possess, and dispose of such real and personal property as may be necessary and convenient to carry into effect the object of the incorporation;

5. To appoint such subordinate officers and agents as the business of the corporation may require, and prescribe their duties and compensation;

6. To make by-laws, not inconsistent with any existing law, for the sale of any portion of its stock for delinquent or unpaid assessments due thereon, which sale may be made without judgment or execution: *Provided*, That no such sale shall be made without thirty days' notice of time and place of sale, in some newspaper in circulation in the neighborhood of such company, for the transfer of its stock, for the management of its property, and for the general regulation of its affairs.

SEC. 6. The corporators, or any portion of them, designated by a majority of the whole number, are authorized to open books and receive subscription to the capital stock of the corporation, and as soon as such capital stock has been subscribed, they shall give notice to the subscribers to meet, at such time and place as they may designate, for the purpose of electing not less than three directors, as the stockholders present shall determine: *Provided*, That it shall be lawful in the organization of any corporation to elect a board of directors as soon as one-half of the capital stock has been subscribed.

SEC. 7. The corporators present at such meeting shall be inspectors of the election, and certify who are elected directors, and appoint the time and place for their first meeting, and each stockholder who shall attend in person, or by proxy appointed by writing and subscribed by such stockholder, shall be entitled to one vote for each share of capital stock subscribed by him; but after such first election of the directors no person shall vote on any share upon which any installment or portion thereof is then due and unpaid.

SEC. 8. No person is eligible to the office of director unless he is a stockholder in the corporation and resident of the state, and a director ceasing to be such stockholder or resident ceases to be a director: *Provided*, That corporations constructing railroads or military wagon roads, canals, or flumes in this state may permit a minority of the board of directors to reside out of this state. Before entering upon the discharge of their duties the directors shall each take and subscribe an oath to faithfully and honestly discharge such duties.

SEC. 9. The directors, when elected and qualified, at the first meeting thereafter shall elect one of their number president, who shall preside at their meetings and perform such other special duties as the directors may authorize, and at the same time shall appoint a secretary, whose duty it shall be to keep a fair and correct record of all the official business of the corporation. From the first meeting of the directors the powers vested in the corporation are exercised by them, or by their officers or agents, under their direction, except as otherwise specially provided in this chapter.

SEC. 10. The notice of the time and place of the first meeting of the stockholders for the election of directors shall be given by publication of the same, for thirty days before such meeting, in some newspaper published at least once a week in the county where the meeting is to be held, or in some newspaper published in like manner and in general circulation therein: *Provided*, That nothing herein contained shall be construed to prevent such stockholders from holding such meeting for the election of directors before the expiration of thirty days after such stock is subscribed, and without the publication of the notice above referred to: *Provided further*, That all such stockholders shall be present at such meeting, or consent thereto in writing, which consent shall be filed with the secretary of such company. All notices of subsequent meetings of stockholders or directors shall be given for such time and in such manner as the directors may prescribe.

SEC. 11. There shall be an annual election of directors, and at each election after the first the president of the corporation shall act as inspector of election, and certify who are elected directors. The directors chosen shall hold their offices for one year thereafter, and until their successors are elected and qualified. The powers vested in the directors may be exercised by a majority of them, and any less number may constitute a quorum at all regular or stated meetings authorized by the by-laws of the corporation, in all cases when either the directors or incorporators shall have filed with the secretary of state and county clerk a written statement designating such less number sufficient to form a quorum. And insurance companies formed under this law may designate in their articles of incorporation what amount of per centum of the capital stock shall be required to be paid in before commencing business, and the stockholders shall be liable for their residue of the stock held by them respectively when the business or liability of the corporation shall require it.

SEC. 12. Every corporation organized under this charter shall keep a stock-book in such manner as to show intelligibly the original stockholders, their respective shares, the amount paid, and the amount due thereon, if any, and all transfers thereof, which stock-book, or a certified copy thereof as to the items in this section specified, as well as all other books of the corporation necessary for carrying on its business, shall be subject to the inspection, at all reasonable hours, of any person interested therein and applying therefor.

SEC. 13. The stocks in all private corporations organized under this chapter are to be deemed personal property, and subject to attachment, execution, levy, and sale as such; and the corporation, in case of such sale, is required to make the necessary transfer to the purchaser upon the stock-book.

SEC. 14. All sales of stock, whether voluntary or otherwise, transfer to the purchaser all rights of the original holder or person for whom the same is purchased, and subject such purchaser to the payment of any unpaid

balance due or to become due on such stock; but if the sale be voluntary, the seller is still liable to existing creditors for the amount of such balance, unless the same be duly paid by such purchaser.

SEC. 15. If the directors of a corporation declare and pay dividends when the corporation is insolvent, or which renders it insolvent, or diminishes the amount of its capital stock, such directors shall be jointly and severally liable for the debts of the corporation then existing, or incurred while they remain in office; or if such directors shall, by any official act or conduct, fraudulently induce any person to give credit to such corporation, they shall be liable in like manner to such person for any loss he may sustain thereby; but any director who voted against such dividend, or such fraudulent act or conduct, if present, or who thereafter, as soon as the same came to his knowledge, filed his objections thereto, shall be exempt from such liability.

SEC. 16. Any corporation organized under this chapter, which does not elect directors and commence the transaction of the business for which it was formed within one year from the time of the filing of the articles of incorporation, shall thenceforth be divested of its corporate powers, and if such corporation shall, for any period of six months after the commencement of its business, neglect and cease to carry on the same, its corporate powers shall also cease.

SEC. 17. All corporations that expire by the limitation specified in their articles of incorporation, or are annulled for forfeiture or other cause by the judgment of a court, continue to exist as bodies corporate for the period of five years thereafter, if necessary, for the purpose of prosecuting or defending actions, suits, or proceedings by or against them, settling their business, disposing of their property, and dividing their capital stock, but not for the purpose of continuing their corporate business.

SEC. 18. The stockholders of any private incorporation heretofore incorporated by any special act of the legislature may at any time hereafter, while such corporation exists, incorporate themselves under this chapter, in the mode herein prescribed, for the purpose of carrying on the enterprise, business, pursuit, or occupation for which they may have been specially incorporated; and the filing of the articles of incorporation shall be deemed a surrender of such special incorporation, but not of any vested right thereunder, and thereafter such corporation shall have the powers and privileges and be subject to the liabilities and limitations provided by this chapter, and not otherwise.

SEC. 19. Any corporation organized under the provisions of this chapter may, at any meeting of the stockholders which is called for such purpose, by a vote of the majority of the stock of such corporation, increase or diminish its capital stock or the amount of the shares thereof, or authorize the dissolution of such corporation, and the settling of its business and disposing of its property and dividing its capital stock in any manner it may see proper.

SEC. 20. Any corporation formed for the purpose of navigating any stream or other water may, by virtue of such incorporation, construct any railway, macadamized road, plank road, or clay road, or canal, or bridge, necessary and convenient for the purpose of transporting freight or passengers across any portages on the line of such navigation, occasioned by any rapids or other obstructions to the navigation of such stream or other water, in like manner and with like effect as if such corporation had been specially formed for such purposes; but no corporation formed under this chapter, or heretofore or hereafter incorporated by any special act of incorporation, passed by the legislative assembly of this state or otherwise, for the purpose of navigating any stream or other water of this state, or forming the boundary thereof, in whole or in part, nor any stockholder in such corporation, shall ever take or hold stock, or any interest, directly or indirectly, in the stock of any incorporation which may be formed under this chapter for the purpose of building or constructing any road in this chapter mentioned; nor shall any such corporation ever purchase, lease, or in any way control such road or the corporate rights of such last-named corporation: *Provided further*, That corporations heretofore incorporated, or which may hereafter be formed under this chapter, for the purpose of establishing and keeping a ferry across any stream or other water of this state, or forming the boundary thereof, in whole or in part, shall not be deemed a corporation for the purpose of navigating such stream or water within the meaning of this chapter, nor shall the stockholders thereof be restrained from taking or holding stock in a corporation formed under this chapter for the purpose of constructing or building any road.

SEC. 21. The stockholders may, by a majority vote of the stock, change its general place of business.

SEC. 22. The directors of any corporation may file supplementary articles of incorporation, at any time when a unanimous vote of all the stock subscribed shall so determine, for the purpose of engaging in any new enterprise or business pursuit not in violation of law, or for the purpose of changing any part of the route of their road or canal, or either terminus, or both; the directors shall cause a notice to be published of the filing of such supplementary articles, setting forth the object of the same.

NOTE.—Section 22 amended by section 3, act approved October 21, 1878 (Sess. Laws, 1878, p. 90).

CHAP. III.—OF THE ENFORCEMENT OF JUDGMENT IN CIVIL ACTION. (Gen. Laws, p. 161.)

TITLE I.—*Of the execution.*

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SECTION 279. All property, or right or interest therein, of the judgment debtor shall be liable to an execution, except as in this section provided. The following property shall be exempt from execution if selected and reservep

by the judgment debtor or his agent at the time of the levy, or as soon thereafter, before sale thereof, as the same shall be known to him, and not otherwise:

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3. The tools, implements, apparatus, team, vehicle, harness, or library necessary to enable any person to carry on the trade, occupation, or profession by which such person habitually earns his living, to the value of four hundred dollars. Also sufficient quantity of food to support such team, if any, for sixty days. The word team in this subdivision, shall not be construed to include more than one yoke of oxen, or a pair of horses or mules, as the case may be.

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CHAP. XXIII.—OF FORCIBLE ENTRY AND DETAINER. (Gen. Laws, p. 613.)

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SECTION 16. In an action to recover the possession of any land, tenement, or other real property, where the entry is forcible, or where the possession thereof is unlawfully held by force, the merits of the title shall not be inquired into; and three years' quiet possession of the premises immediately preceding the commencement of such action by the party in possession, or those under whom he holds, may be pleaded in bar thereof, unless the estate of such party in the premises is ended.

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CHAP. XXIV.—OF FOREIGN CORPORATIONS DOING BUSINESS IN THIS STATE. (Gen. Laws, p. 616.)

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SECTION 7. A foreign corporation, before transacting business in this state, must duly execute and acknowledge a power of attorney, and cause the same to be recorded in the county clerk's office of each county where it has a resident agent, which power of attorney, so long as such company shall have places of business in the state, shall be irrevocable, except by the substitution of another qualified person for the one mentioned therein as attorney for such company.

SEC. 8. Such power of attorney shall appoint some person who is a citizen of the United States, and a citizen and resident of this state, an attorney for such company, and shall authorize and empower such attorney to accept service of all writs and process requisite and necessary to give complete jurisdiction of such corporation to any of the courts of this state, or United States courts therein, and shall constitute such attorney the authorized agent of such corporation, upon whom lawful and valid service may be made of all writs and process in any action, suit, or proceeding commenced by or against any such corporation in any of the courts mentioned in this section, and necessary to give such courts complete jurisdiction thereof.

CHAP. XXXII.—OF THE LIENS OF MECHANICS, LABORERS, AND OTHERS, AND THEIR ENFORCEMENT. (Gen. Laws, p. 653.)

TITLE I.—*Of liens on buildings.*

SECTION 1. That any person who shall hereafter, by virtue of any contract with the owner of any building, or with the agent of such owner, perform any labor upon, or furnish any materials, engine, or machinery for, the construction or repairing of such building, shall, upon filing the notice prescribed in the next section, have a lien upon such building and the lot of ground upon which the same is situated for such labor done or materials, engine, or machinery furnished, when the amount shall exceed twenty dollars.

SEC. 2. Any person wishing to avail himself of the provisions of this title, whether his claim be due or not, shall file in the county clerk's office of the county in which such building is situated, at any time within three months after the completion of such building or repairs, a notice of his intention to hold a lien upon such building for the amount due, or to become due, specifically setting forth such amount, and containing a description of the building upon which the labor was performed, or for which the materials, engine, or machinery were furnished; which notice shall be recorded by the county clerk in a book kept for that purpose.

SEC. 3. Such lien shall cease to exist at the expiration of one year after the completion of the building or repairs, unless before that time an action to enforce the same shall have been commenced in the circuit court of the county in which the premises are situated by the person having such lien, against the owner with whom or with whose agent the contract was made, unless such claim be not due at the expiration of one year after such completion, in which case the action shall be commenced within three months after the same shall have become due.

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SEC. 7. The liens created in pursuance of the provisions of this title shall have precedence over all other liens after the commencement of the building; and if, upon a sale of the premises by execution, the proceeds be insufficient to pay all such liens, the court shall order them to be paid in proportion to the amount respectively due to each, and any other property of the defendant not exempt from execution may be sold to satisfy such execution.

SEC. 8. The liens against any building shall also extend to the lot of ground upon which such building is erected, not exceeding one-half of an acre in extent, if the land shall have been, at the time of erecting such building, the property of the person who shall have caused the same to be erected. The metes and bounds of such lot may be determined by the parties, or if they cannot agree upon the same, the court at any time after the rendition of judgment may appoint one or more referees to determine such boundaries.

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SEC. 11. Any subcontractor, journeyman, or laborer employed in the construction or repairing of any building, or in furnishing any materials or machinery for the same, may give the owner thereof notice in writing, particularly setting forth the amount of his claim, and the service rendered, for which his employer is indebted to him, and that he holds the owner responsible for the same; and the owner of the building shall be liable for such claim, if indebted to the employer to the amount; if not, then for the amount due from him to said employer at the time such notice was served, which claim or amount may be recovered by an action against the owner, if brought within one year after the completion of the building or the repairs.

SEC. 12. Whenever any subcontractor, journeyman, or laborer shall recover any such claim from the owner of the building, the same may be set off by such owner in any action brought against him by the person who otherwise would be entitled to recover the same under the contract.

CHAP. LVII.—OF ASSESSMENTS OF PROPERTY AND THE LEVY AND COLLECTION OF TAXES. (Gen. Laws, p. 748.)

TITLE I.—*Of property and polls subject to assessment and taxation.*

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SECTION 4. The following property shall be exempt from taxation:

1. All property, real and personal, of the United States and of this state.

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AN ACT to amend sections 5, 17, and 22 of title I of chapter VII of the miscellaneous laws of Oregon, as compiled by Matthew P. Deady and Lafayette Lane. (Approved October 21, 1878; Sess. Laws, 1878, p. 90.)

SECTION 1. That section 5 of chapter VII be amended to read as follows:

"SEC. 5. Upon making and filing of the articles of incorporation, as herein provided, the persons subscribing the same are incorporators, and authorized to carry into effect the objects specified in the articles in the manner provided in this chapter, and they and their successors, associates, and assigns, by the name assumed in such articles, shall hereafter be deemed a body corporate, with power:

"1. To sue and be sued.

"2. To contract (and be contracted) and be contracted with.

"3. To have and use a corporate seal, and the same to alter at pleasure.

"4. To purchase, possess, and dispose of such real and personal property as may be necessary and convenient to carry into effect the objects of the incorporation, and to take, hold, and possess and dispose of all real and personal property donated to such corporation by the United States, or by any state, territory, county, city, or other municipal corporation, or by any person, firm, association, or private corporation, for the purpose of aiding the objects of such corporation.

"5. To appoint such subordinate officers and agents as the business of the corporation, and prescribe their duties and compensation.

"6. To make by-laws, not inconsistent with any existing law, for the sale of any portion of its stock for delinquent or unpaid assessments due thereon, which sale may be made without judgment or execution: *Provided*, That no such sale shall be made without thirty days' notice of time and place of sale, in some newspaper in circulation in the neighborhood of such company, for the transfer of its stock, for the management of its property, and for the general regulation of its affairs".

SEC. 2. That section 17 be amended so as to read as follows:

"SEC. 17. All corporations that expire by the limitations specified in their articles of incorporation, or are dissolved by virtue of the provisions of section 19 of this act, or are annulled by forfeiture, or other cause, by the judgment of a court, continue to exist as bodies corporate for a period of five years thereafter, if necessary, for the purpose of prosecuting or defending actions, suits, or proceedings by or against them, settling their business, disposing of their property, and dividing their capital stock, but not for the purpose of continuing their corporate business".

SEC. 3. That section 22 be amended so as to read as follows:

"SEC. 22. The directors of any corporation may file supplementary articles (articles) of incorporation at any time when a three-fourths vote of all the stock subscribed shall so determine for the purpose of engaging in any business cognate or germane to the original objects or primary purpose of said corporation, not in violation of law, or at any time when a seven-eighths vote of all the stock subscribed shall so determine, for the purpose of engaging in any new enterprise or pursuit, not in violation of law, or for the purpose of changing any part of their road or canal, or either terminus, or both, when not in violation of law, or any contract entered into by said corporation; the directors shall cause a notice to be published of the filing of such supplementary articles, setting forth the object of the same".

AN ACT to amend section 1 of chapter XXXVIII of the miscellaneous laws of Oregon, pertaining to mines, as compiled by M. P. Deady and L. F. Lane. (Approved October 25, 1880; Sess. Laws, 1880, p. 26.)

SECTION 1. That section 1 of chapter XXXVIII of the miscellaneous laws of Oregon, pertaining to mines, as compiled by Matthew P. Deady and Lafayette Lane, be amended so as to read as follows: "That any person or company of persons establishing a claim on any quartz-lead containing gold, silver, copper, tin, or lead, or a claim or a vein of cinnabar, for the purpose of mining the same, shall be allowed to have, hold, and possess the land or vein, with all its dips, spurs, and angles, for the distance of fifteen hundred feet in length and three hundred feet in width on each side of such lead or vein".

SEC. 2. *And be it further enacted*, That all local laws and regulations now existing in the mining districts of this state that have not been made within two years next preceding the passage of this act shall be, and the same are hereby, declared null and void.

SEC. 3. *And be it further enacted*, That from and after the passage of this act any person, company, or corporation owning placer-claims composed of creek, bench, and hill-claims, joining, may represent the whole of said claims by working or mining on any one of the same.

SEC. 4. *And be it further enacted*, That from and after the passage of this act any person or persons, company, or corporation shall be allowed to represent his or their placer-claims, ditches, and water-rights as may best suit his or their convenience: *Provided*, That whenever any person, company, or corporation, being the owner of any placer-mining claim or claims, ditches, and water-rights, have or shall abandon the same, and who shall, for one year thereafter, cease to exercise ownership over said claims, ditches, and water-rights, shall be deemed to have lost all title, claim, or interest therein.

SEC. 5. *And be it further enacted*, That whenever any person, company, or corporation have or shall locate a placer-claim or claims in conformity to the act of Congress approved May 10, 1872, and the amendments thereto, the said claim or claims, together with all ditches and water-rights appurtenant to and connected with the same, shall not be subject to any local law or regulation of the mining district in which the same may be situated, but shall thereafter be subject only to the law governing real estate.

UTAH.

COMPILED LAWS OF 1876.

CHAP. X.—OF MINES AND MINING.

AN ACT to provide rules for the working and development of mines. (Approved February 16, 1872; Sess. Laws, 1872, p. 16; Comp. Laws, p. 398.)

SECTION 1. That any citizen of the United States, and any person who shall have declared his intention to become such, who shall hereafter discover any mineral deposit, lead, or lode bearing gold, silver, tin, platina, copper, or cinnabar, shall be entitled to one claim thereon by right of discovery and one claim by right of location: *Provided*, That no person shall be entitled to more than one claim by right of location on any one lead or lode.

SEC. 2. Any person or persons who shall willfully or maliciously tear down or deface a notice posted on any mining-claim, or take up or destroy any stake or monument marking any such claim, or interfere with any person lawfully in possession of said claim, or who shall alter, erase, deface, or destroy any record kept by a mining recorder, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than six months, or by both such fine and imprisonment. Justices of the peace in their respective counties shall have jurisdiction of such offenses.

SEC. 3. Any person wrongfully entering upon any mine or mining-claim and carrying away ores therefrom, or extracting and selling ores from any mine, being the property of another, shall be liable to the owner or owners of said ore for three times the value thereof, recoverable by an action at law; and should the plaintiff file his affidavit

that the defendant did unlawfully take such ores, the defendant may be arrested and held to bail, as in cases for the recovery of the possession of personal property unjustly detained.

SEC. 4. Any person or persons who shall perform any work or labor upon any mine, or furnish any materials therefor, in pursuance of any contract made with the owner or owners of such mine, or of any interest therein, shall be entitled to a miner's lien for the payment thereof upon all the interest, right, and property in such mine by the person or persons contracting for such labor or materials at the time of making such contract; said lien may be enforced in the same manner and with the same effect as a mechanic's lien, as provided by the laws of Utah.

AN ACT in relation to proving the records and mining rules and regulations of the mining districts of this territory, and for other purposes. (Approved February 18, 1876; Comp. Laws, p. 399.)

SECTION 1. That copies of notices of location of the mines, lodes, and veins, and of tunnel sites, recorded in the several mining districts, and of the mining rules and regulations in force in the several mining districts, in like manner recorded, shall be receivable in all the courts of this territory as *prima-facie* evidence of such notices, rules, and regulations: *Provided*, The recorder of the district shall certify under his hand and seal that such copies are full, true, and perfect copies from the records in his custody. The seal of office of the mining recorder so certifying, affixed to such certificate, shall be *prima-facie* evidence of the fact of the election and qualification and official character of such mining recorder.

SEC. 2. It shall be the duty of the county recorder of the several counties of this territory to record the mining rules and regulations of the several mining districts in their respective counties; and, when so recorded, certified copies thereof shall be received in all the courts of this territory as *prima-facie* evidence of such rules and regulations.

SEC. 3. The mining recorders of the several mining districts shall be allowed the same fees for recording and making copies of any records in their custody as are now allowed by law for like services to county recorders. And it shall be the duty of each mining recorder, upon request and payment or tender of the fees therefor, to make and deliver to any person requesting the same duly-certified copies of any records in his custody; and for a failure so to do, or for receiving larger fees for any such service than those herein provided, such mining recorder shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subjected to the same penalties provided against public officers in section twenty of the act entitled "An act to regulate fees and compensation for official and other services in the territory of Utah", passed February 20, 1874.

SEC. 4. Recorders of mining districts shall, for the purposes of this act, be deemed public officers, and the records in their custody shall be deemed public records, and they are hereby required to keep an official seal.

NOTE.—This act was amended by act approved February 21, 1878.

AN ACT in relation to defrauding and cheating or swindling. (Approved January 20, 1865; Comp. Laws, p. 338; Sess. Laws, 1865–'66, p. 61.)

SECTION 1. That any person in any manner knowingly a party to wrongfully conveying any land or land-claim, or improvement thereon, any bond, execution, or any other description of property, with intent to deceive or defraud, or to delay or defeat the payment of just debts, or who shall sell or exchange any description of property which he at the time knows is adulterated, damaged, or diseased, without first truly informing the purchaser concerning the actual condition or quality of said property, shall be deemed guilty of fraud, and shall, on conviction thereof, be fined not exceeding one thousand dollars, or be imprisoned in the county jail not exceeding one year, at daily hard labor, during customary hours, upon the streets, highways, and public works and buildings of the county: *Provided*, Such labor shall be performed with a ball and chain attached to a prisoner whenever the jailor deems it necessary; or both fine and imprisonment as aforesaid.

SEC. 2. Any person knowingly obtaining any property through any false pretense or representation, made by himself or at his instigation, shall be deemed a cheat or swindler, and shall, on conviction thereof, be fined or imprisoned, or both, as provided in the foregoing section for the punishment of fraud.

SEC. 3. Any person convicted under this act shall also be liable to make full restitution and pay all damages to the party aggrieved.

NOTE.—The above act was repealed by the "Act to establish a penal code", approved February 18, 1876; but as section 1009 refers to this act, it is included in the compilation. See section 2229, compilation.

SEC. 399, PENAL CODE. The several acts of the governor and legislative assembly of this territory in this section mentioned be, and the same are hereby, repealed. * * *

Second.—The act entitled "An act in relation to defrauding, cheating, and swindling", approved January 20, 1865.

AN ACT supplementary to an act entitled "An act in relation to defrauding, cheating, or swindling", approved January 20, 1865. (Approved February 20, 1874; Comp. Laws, p. 339; Sess. Laws, 1874, p. 12.)

SECTION 1. That any person or persons who shall hereafter, for the purpose of selling any mining-claim or any interest therein, place in or upon such claim any ores or specimens of ores not extracted therefrom, or shall exhibit

any ores or certificate of assay of ore not extracted therefrom, with intent to deceive any person or persons by such artifice, or who shall obtain any money or property by such false pretense and artifice, and all persons who shall knowingly and willingly aid or abet such false pretense by furnishing ore or assays of ore for such purpose, or who shall procure or furnish any false sampling of ores, or who shall produce any false certificate of assay of any ores for such purpose, shall be deemed guilty of fraud, and shall, on conviction thereof in any court having competent jurisdiction, be punished as provided in said act to which this act is supplemental.

AN ACT limiting the time of commencing civil actions. (Approved February 16, 1872; Comp. Laws, p. 362; Sess. Laws, 1872, p. 18.)

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SECTION 4. No action for the recovery of real property, or for recovery of the possession thereof, shall be maintained unless it appear that the plaintiff, his ancestor, grantor, or predecessor was seized or possessed of the premises in question within seven years before the commencement of such action.

SEC. 5. No cause of action or defense to an action founded upon the title to real property, or to rents or profits out of the same, shall be effectual unless it appear that the person prosecuting the action or making the defense, or under whose title the action is prosecuted or the defense is made, or the ancestor, predecessor, or grantor of such person was seized or possessed of the premises in question within seven years before the commencement of the act in respect to which such action is prosecuted or defense made.

SEC. 6. In every action for the recovery of real property, or the possession thereof, the person establishing a legal title to the property shall be presumed to have been possessed thereof within the time prescribed by law, and the occupation of the property by any other person shall be deemed to have been under and in subordination to the legal title, unless it appear that the property has been held and possessed adversely to such legal title for ten years before the commencement of the action.

SEC. 7. Whenever it shall appear that the occupant, or those under whom he claims, entered into the possession of the property under claim of title exclusive of any other right, founding such claim upon a written instrument as being a conveyance of the property in question, or upon the decree or judgment of a competent court, and that there has been a continued occupation and possession of the property included in such instrument, decree, or judgment, or of some part of the property under such claim, for five years, the property so included shall be deemed to have been held adversely, except that, where the property so included consists of a tract divided into lots, the possession of one lot shall not be deemed a possession of any other lot of the same tract.

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CHAP. IV.—OF INCORPORATIONS FOR GENERAL PURPOSES.

Sec.
529. Residence of corporators; purposes.
530. Must enter into an agreement, and what it must contain; proviso; capital stock may be part in property.
531. The agreement must be acknowledged.
532. How officers to qualify.
533. Judge of probate to issue certificate.
534. Powers of the corporation.
535. Increase of capital stock; corporations may consolidate; notice.
536. Corporation may be dissolved.
537. If corporation be dissolved, its affairs may be adjusted.
538. Corporation has lien.
539. Officers to act until their successors are qualified.
540. If officers qualify, they may continue to act, etc.
541. Corporation to keep correct books.
542. Stock personal property and transferable.
543. Fraudulent practices punished.
544. Same.
545. Certificate of clerk.
546. Non-user.
547. Meetings, votes, etc.
548. Liability of stockholders.
549. Right to modify or repeal reserved.

AN ACT providing for incorporating associations for mining, manufacturing, commercial, and other industrial pursuits. (Approved February 18, 1870; Comp. Laws, p. 226; Sess. Laws, 1870, p. 136.)

(529.) SECTION 1. That hereafter, whenever any number of persons, not less than six, one-third of whom being residents of this territory, are desirous of associating themselves together for establishing and conducting any mining, manufacturing, commercial, or other industrial pursuit, or the construction or operation of wagon roads, irrigating ditches, or the colonization and improvement of lands, or for colleges, seminaries, churches, libraries, or any benevolent, charitable, or scientific association, or for any rightful subjects consistent with the constitution of the United States and the laws of this territory, and who wish to incorporate for that purpose, may, by complying with the provisions of this act, become a body corporate.

(530.) SEC. 2. They shall enter into an agreement in writing, signed by each of them, and by at least four of their number, acknowledged before the probate judge of the county in which they have established or intend to establish their principal place of business, stating the precinct or city, and stating the name of the association, their names, and places of residence, written in full, the time of its duration, which shall not in any case be less than three years nor more than twenty-five years, the pursuit or business agreed upon, specifying it in general terms, the place of its general business, the amount of stock each party has subscribed, the amount of each share, and the limit of

capital stock agreed upon, the number and kind of officers for the association, with their qualifications and term of office, and the time and manner of their election, removal, and resignation, and whether the private property of the stockholders shall be liable for its obligations or not, with such additional clauses as they deem necessary for the conducting of the business and its future safety and welfare. To this there shall be added the oath or affirmation of four or more of their number, to the effect that they have commenced or it is *bona fide* their intent to commence and carry on the business mentioned in the agreement, and that the affiants verily believe that each party to the agreement has paid, or is able to and will pay, the amount of his stock subscribed: *Provided*, That said acknowledgment shall not be made before the probate judge until twenty-five per cent. of the stock subscribed by each shareholder shall have been paid in: *Provided*, That where the amount of the capital stock of any corporation which may be formed under the provisions of this act, or of the act to which this is amendatory, consists of the aggregate valuation of property for the working, development, management, use, sale, or exchange of which such corporation shall be formed, no actual subscription in money to the capital stock of such corporation shall be necessary; but each owner of such property shall be deemed to have subscribed such an amount to the capital stock of such corporation as under the by-laws will represent the fair estimated cash value of so much of said property, the title to which he may, by deed of trust, convey, or may have conveyed or vested in such corporation; such subscription to be deemed to have been paid in upon the execution and delivery to such corporation of such conveyance or deed of trust: *Provided further*, That this section shall not be so construed as to prohibit the stockholders of any corporation from regulating the mode of making subscriptions to its capital stock and calling in the same by by-laws or express contract: *And provided further*, That where subscriptions to the capital stock of any company are paid in other than money, the fact shall be so stated, and the kind of property, with a description thereof, specified in the articles of agreement.

(531.) SEC. 3. The agreement, with the oath or affirmation, shall, within ten days from its due execution, be deposited with the probate clerk of the county in which the general business is to be carried on, and shall be by him recorded in a book to be prepared for that purpose and kept in his office, the expenses of which recording shall be paid by the association.

(532.) SEC. 4. Before the first or any other officers shall enter upon the duties of their respective offices, they shall take and subscribe an oath of office, and enter into bonds to the acceptance of the probate judge that they will discharge the duties of such office to the best of their judgment, and that they will not do nor consent to the doing of any matter or thing relating to the business of the association with intent to defraud any stockholder, or creditor, or the public. And the oath or affirmation and bonds shall be filed in said office and recorded.

(533.) SEC. 5. So soon as the agreement and oath or affirmation and oath of office and bonds are filed and recorded, the clerk of the probate court shall, under the direction of the probate judge, issue, under the seal of the court, a certificate to the association, therein stating in general terms the facts that the agreement and oath or affirmation and oath of office and bonds have been filed in his office, which shall be sufficient to constitute the association a body corporate, with succession as specified in the agreement.

(534.) SEC. 6. The corporation in its name shall have power to make contracts; to sue and to be sued; to have a seal, which it may alter at pleasure; to buy, use, and sell or dispose of personal property; to buy, use, sell, or dispose of all such real estate as shall be necessary for its general business, and such as shall be necessary for the collection of its debts, or judgments, or decrees in its favor; but it shall not have power to enter into, as a business, the buying and selling of real estate. It may make all such by-laws, rules, and regulations, not inconsistent with the laws in force or which may be in force in this territory, and not inconsistent with other corporate rights and vested privileges, as may be necessary to carry into effect the object of the association, and such by-laws, rules, and regulations may be made in a general meeting of the stockholders or by a board of officers elected by them. It may, as hereinafter provided, increase its capital stock or dissolve the corporation.

(535.) SEC. 7. If more capital than is first subscribed be needed, the stockholders may, at any meeting called for that purpose, by a two-thirds vote of all the stockholders, increase the same by the sale of more shares, and thereafter the stock may be increased accordingly, but in no case shall the capital stock exceed the sum of ten millions of dollars. Where two or more corporations organized under this act shall desire to unite and consolidate, it shall be lawful for them so to unite and consolidate: *Provided*, That at a regular meeting of said corporations two-thirds of the stockholders thereof shall by vote determine to so unite and consolidate: *Provided further*, That notice of the meetings of such several corporations for such purpose shall be called by notice published in some newspaper published at Salt Lake City for at least thirty days before such meetings shall be held.

(536.) SEC. 8. Any corporation formed under this act may dissolve and disincorporate itself by its officers presenting to the probate judge of the county in which the principal office of the company is located a statement setting forth that at a meeting of the stockholders, called for that purpose, it was decided by a two-thirds vote of all the stockholders to disincorporate and dissolve the incorporation. Notice of the application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in some newspaper having general circulation in the territory once a week for one month. At the time or place appointed, or at any other time or place to which it may be postponed by the judge, said judge shall proceed to consider the application, and if satisfied that the corporation has taken the

necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

(537.) SEC. 9. Whenever the corporation shall be dissolved, if there shall be debts or claims due to it, or debts or obligations against it, or assets, real or personal, not converted into money for distribution, the corporate powers shall be continued for the purpose of collecting the debts or claims due, and paying its debts or obligations, and selling and converting its assets into money and distributing the same among the stockholders, and if no sufficient means of effecting the object and intent of this section be provided in the agreement or by-laws, the court shall have power, on the application of any person interested, to make all needful rules and orders and judgments necessary to carry the provisions of this section into effect.

(538.) SEC. 10. The corporation shall collect of the stockholders the amount of stock by them subscribed in such installments and at such times as shall be settled by the agreement or by-laws. It shall have a lien on the amount paid in and the dividends thereon for any balance due for the stock of a delinquent stockholder.

(539.) SEC. 11. The officers, after being fully qualified to act, may continue to act, unless removed for misconduct, until their successors are qualified.

(540.) SEC. 12. If, from any cause, the officers shall not be elected at the time provided in the agreement or by-laws, such election may be made at such other time as the officers and directors may appoint. If such appointment be not made within three months, then at the call of any six stockholders.

(541.) SEC. 13. It shall be the duty of the corporation to keep true and correct books of its proceedings and business.

(542.) SEC. 14. The stock shall be deemed personal property, and may be transferred in such manner as may be provided in the agreement or by-laws.

(543.) SEC. 15. If the secretary, clerk, or other person having the charge of keeping the books of the corporation, or any other person whose duty it is to make entries in such books, shall willfully omit to make the proper entries, or shall knowingly and willfully make any false and fictitious entries therein, with intent to deceive or defraud the corporation or any stockholder, creditor, or other person, he and his counselors, advisers, aiders, and abettors shall be deemed guilty of forgery, and shall be punished as provided by law for the punishment of the crime of forgery.

(544.) SEC. 16. If any officer, director, employé, or other person having the charge or management of any money or other property of the corporation, or to whom any such money or other property shall be intrusted for any purpose whatever, shall fraudulently misapply, carry away, secrete, conceal, or convert to his own use any such money or other property, with intent to defraud such corporation or any stockholder, creditors, or other person, he, his counselors, aiders, and abettors shall be deemed guilty of embezzlement, and shall be punished as provided by law for the punishment of embezzlement.

(545.) SEC. 17. It shall be the duty of the clerk with whom the records in this act mentioned are kept, at the request of any person interested therein or who needs the same for evidence, on being paid his fees therefor, to give a transcript of such record, under the seal of said court, which transcript shall be conclusive evidence of such record, and *prima-facie* evidence of the facts therein stated.

(546.) SEC. 18. Non-use for two years of the franchise herein given, or non-compliance with any of the provisions of this act, shall be a forfeiture of the privileges herein granted.

(547.) SEC. 19. Whenever a meeting of the stockholders other than stated meetings shall be necessary, notice shall be given in such manner as may be prescribed in the agreement or by-laws. At all meetings each shareholder shall be entitled to one vote for each share of stock which he or she may have in his or her own right, or any held by him or her in trust for others as administrator, executor, or guardian, and such votes may be given in person or by an authorized agent or proxy.

(548.) SEC. 20. If the agreement mentioned in section two of this act provide that the individual property of the stockholders shall be liable for the corporate obligations, then such property shall be deemed and taken to be so liable; if it provide that such individual property shall not be liable, then it shall be deemed and taken to be not liable: *Provided,* That the joint property of the association and the unpaid stock shall be liable for the debts of the association.

(549.) SEC. 21. The governor and legislative assembly may hereafter modify or repeal this act; but if it be repealed, or if the franchise of any corporation organized under this act shall be forfeited, the corporation may continue for the purposes specified in section nine of the act to which this is an amendment.

NOTE.—This act is amended by the act approved February 19, 1880 (Sess. Laws, 1880, p. 19).

CHAP. I.—THE EXECUTION. (Comp. Laws, p. 459.)

TITLE VII.—*Of the execution of the judgment in civil actions.*

* * * * * * * * *

SECTION 219. The following property shall be exempt from execution, except as herein otherwise provided:

* * * * * * * * *

Fourth. The tools, tool-chest, and implements of a mechanic or artisan necessary to carry on his trade. * * *

Fifth. The tent or cabin of a miner, including a table, camp-stools, bed and bedding, and necessary tools used in mining, not exceeding the value of four hundred dollars, with provisions necessary to his support for thirty days.

Sixth. Two oxen, or two horses, or two mules, and their harness, and one cart or wagon, by the use of which a cartman, teamster, or other laborer habitually earns his living, and food for such oxen, horses, or mules for sixty days. * * *

* * * * * * * * *

Twelfth. No article or species of property mentioned in this section shall be exempt from execution issued upon a judgment recovered for its price, or a mechanic's or laborer's lien, or upon a mortgage thereon.

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CHAP. VI.—OF MINING DISTRICTS.

AN ACT to amend an act entitled, "An act in relation to proving the records and mining rules and regulations of the mining districts of this territory, and for other purposes". (Approved February 21, 1878; Sess. Laws, 1878, p. 8.)

SECTION 1. That the act entitled "An act in relation to proving the records and mining rules and regulations of the mining districts of this territory, and for other purposes", approved February 18, 1876, is hereby amended by adding thereto another section, to be known as section 5, as follows:

"SEC. 5. Whenever there is a vacancy in the office of recorder of any mining district, or the person holding such office shall remove from the district, leaving therein no qualified successor in office, or whenever, from any cause, there is no person in such district authorized to retain the custody and give certified copies of the records, it shall be the duty of the person having custody of the records to deposit the same in the office of the county recorder of the county in which such mining district or the greater part thereof is situated, and the county recorder shall receive such records, and is hereby authorized to make and certify copies therefrom, and such certified copies shall be received in evidence in all courts and before all officers and tribunals in the same manner and to the same effect as if certified by a qualified recorder of the mining district. The production of a certified copy so made shall be, without other proof, evidence that said records were properly in the custody of the county recorder".

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SEC. 3. This act shall take effect and be in force from and after its passage.

SESSION LAWS OF 1878.

CHAP. VIII.—OF REVENUE.

AN ACT to provide revenue for the territory of Utah and the several counties thereof. (Approved February 22, 1878, p. 11.)

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SECTION 2. All property, real and personal, situate and being in this territory, is taxable, except * * * mining-claims and the products of mines and the ore in the mines.

* * * * * * * * *

AN ACT supplemental to the Penal Code. (Approved February 22, 1878, p. 42.)

SECTION 1. That any person who shall, with intent to cheat or defraud, place in or upon any mine or mineral claim any ores or specimens of ores not extracted therefrom, or exhibit any ore or certificate of assay of ore not extracted therefrom, for the purpose of selling any mine or mining-claim or any interest therein, or who shall obtain any money or property by any such false pretense or artifice, shall be deemed guilty of a misdemeanor.

SEC. 2. Any person who shall interfere with or in any manner change samples of ores or bullion produced for sampling, or change or alter samples or packages of ores or bullion which have been purchased for assaying, or who shall change or alter any certificate of sampling or assaying, with intent to cheat or defraud, shall be deemed guilty of a misdemeanor.

SEC. 3. Any person who shall, with intent to cheat or defraud, make or publish a false sample of ore or bullion, or who shall make or publish or cause to be published a false assay of ore or bullion, is guilty of a misdemeanor.

SEC. 4. That section one thousand and nine (1009), Compiled Laws of Utah, is hereby repealed.

CHAP. XVII.

AN ACT amendatory of and supplemental to chapter IV, title XI, Compiled Laws of Utah. (Approved February 19, 1880, p. 19.)

SECTION 1. That section 529 of the Compiled Laws of Utah is hereby amended by striking out the word "six", in the third line of said section, and inserting the word "five" in lieu thereof.

SEC. 2. Section 530 is hereby amended by striking out the word "four", in line two of said section, and inserting the word "three" in lieu thereof; by striking out the words "twenty-five", in line nine, and inserting the word "fifty" in lieu thereof; and by striking out the words "twenty-five", in line twenty-seven, and inserting the word "ten" in lieu thereof.

SEC. 3. Section 531 is hereby amended by adding thereto the following: "And in case of mining, smelting, milling, banking, railroad and telegraph corporations, and corporations proposing to do business outside of this territory, a certified copy of said agreement and oath or affirmation and of the certificate of incorporation provided for in section 533 shall also be filed with the secretary of the territory. All other corporations may so file their articles and certificate of incorporation if they so elect."

SEC. 4. Section 532 is hereby amended by striking out the words "and recorded", at the end of said section.

SEC. 5. Section 533 is hereby amended by adding, at the end of said section, the following: "And such certificate, or a copy thereof, certified by the clerk of the probate court or the secretary of the territory, shall be *prima-facie* evidence of the due incorporation of such association."

SEC. 6. Section 534 is hereby amended by inserting, after the word "increase", in line sixteen, the words "or diminished".

SEC. 7. Section 535 is hereby amended by striking out the first six lines, and including the word "dollars", in the seventh line of said section, and inserting in lieu thereof the following: "The capital stock of any corporation now existing, or that may hereafter be organized by or under the laws of this territory, may be increased by the sale of more shares, or by increasing the par value of the shares, or otherwise, to any amount not exceeding twenty millions of dollars; or such capital stock may be diminished by decreasing the par value of shares, the purchase and cancellation of shares, or otherwise, to any amount not less than twenty-five per cent. in excess of the indebtedness of the corporation; the name of such corporation may be altered, the number of its directors, trustees, or officers be changed by making the number greater or less (but in no case shall the number of said trustees or directors be less than three nor more than thirteen); the articles of agreement or incorporation may be otherwise changed or amended: *Provided*, Such amendment does not alter the original purpose of the corporation. But no such change shall be made except by a vote representing at least two-thirds of the capital stock, at a stockholders' meeting called for that purpose, in the following manner: Notice shall be given by the president, or secretary, or the board of directors or trustees of such corporation, in some newspaper printed in the English language, and having a general circulation in the county where the corporation has its principal place of business in this territory, for at least twenty-one days, stating the nature of the proposed change of amendment and the time and place of such meeting; such change or amendment, when adopted, shall be signed by the president and secretary of such corporation, and be filed and recorded by the same officer as were the original articles of incorporation; and in case of mining, smelting, milling, banking, railroad, and telegraph corporations, and corporations proposing to do business outside of this territory, shall also be filed with the secretary of the territory, and a copy thereof, certified by the clerk of the probate court or the secretary of the territory, shall be evidence as provided in section 545 of the Compiled Laws as amended by this act."

SEC. 8. Section 545 is hereby amended by inserting after the word "court", in line five of said section, the following: "And the duty of the secretary of the territory in like manner to give transcripts, under the seal of the territory, of the papers filed in his office."

SEC. 9. The secretary of the territory shall be entitled to the same fee as compensation for services performed under this act as are allowed by law for like services by county recorders or clerks of the probate courts.

SEC. 10. All associations incorporated, or purporting to be incorporated, under chapter IV, title XI, of the Compiled Laws of Utah, which have heretofore filed, acknowledged, verified, and recorded their articles of agreement or incorporation in any county of this territory, shall be established and confirmed as corporations from the time of the organization thereof as fully as if said articles were acknowledged, verified, filed, and recorded in the county of the principal place of business of said incorporation, upon the filing by such incorporation of certain copies of its articles and certificate of incorporation with the secretary of the territory, and with the probate judge of the county of this territory in which its principal office or place of business is situated.

SEC. 11. All corporations not organized under the laws of Utah, now doing business in this territory, shall, within sixty days after the passage of this act, and all other foreign corporations within sixty days after commencing business in this territory, file with the secretary of the territory, and with the probate judge of the county wherein their principal office in this territory is situated, certified copies of their articles and certificate of incorporation and by-laws, and in case of alteration and amendment of said articles or by-laws thereafter, shall file certified copies of such alteration or amendment with each of said officers within thirty days after its adoption. Such corporations shall also, within sixty days after commencing business in this territory, designate some person residing in the county in which its principal place of business in this territory is situated, upon whom process issued by authority or under any law of this territory may be served, and shall file such designation with the probate judge of said county and with the secretary of the territory, and a copy of such designation, duly certified by either of said officers, shall be evidence of such appointment, and it shall be lawful to serve on such person so designated any process issued as aforesaid, and such service shall be deemed to be a valid service thereof. Any such corporation

failing to comply with the provisions of this section shall not be entitled to the benefits of the laws of this territory limiting the time for the commencement of civil actions.

SEC. 12. The directors of any corporation formed or existing under the laws of this territory, after one-fourth of its capital stock has been subscribed, may, for the purpose of paying expenses, conducting business, or paying debts, levy and collect assessments upon the subscribed capital stock thereof in the manner and form and to the extent hereinafter provided.

SEC. 13. No assessment shall exceed ten per cent. of the amount of the capital stock named in the articles of incorporation, except in the cases in this section otherwise provided for, as follows: First. If the whole capital of a corporation has not been paid up, and the corporation is unable to meet its liabilities or to satisfy the claims of its creditors, the assessment may be for the full amount unpaid upon its capital stock, or if a less amount be sufficient, then it may be for such a percentage as will raise that amount. Second. The directors of railroad corporations may assess the capital stock in installments of not more than ten per cent. per month, unless the articles of incorporation otherwise provide. Third. The directors of insurance corporations may assess such a percentage of the capital stock as they deem proper.

SEC. 14. No assessment shall be levied while a portion of a previous one remains unpaid, unless: First, the power of the corporation has been exercised in accordance with the provisions of this act for the purpose of collecting such previous assessment; second, the collection of the previous assessment has been enjoined; or, third, the assessment falls within the provisions of either the first, second, or third subdivisions of section 13 of this act.

SEC. 15. Every order levying an assessment must specify the amount thereof, when, to whom, and where payable, fix a day subsequent to the full term of the publication of the assessment notice on which the unpaid assessments shall be delinquent, not less than thirty nor more than sixty days from the time of making the order levying the assessment, and a day for the sale of delinquent stock, not less than fifteen nor more than sixteen days from the day the stock is declared delinquent.

SEC. 16. Upon making the order the secretary shall cause to be published a notice thereof, in the following form: (Name of corporation in full. Location of principal place of business.) Notice is hereby given that at a meeting of the directors, held on (date), an assessment of (amount) per share was levied upon the capital stock of the corporation, payable (when, to whom, and where). Any stock upon which this assessment may remain unpaid on the (day fixed) will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the (day appointed) to pay the delinquent assessment, together with costs, advertising, and expenses for sale. (Signature of secretary, with location of office.)

SEC. 17. The notice must be served personally on each stockholder, or, in lieu of personal service, must be sent through the mail, addressed to each stockholder at his place of residence, if known, and if not known, at the place where the principal office of the corporation is situated, and be published once a week for four successive weeks in some newspaper of general circulation published in Salt Lake City, and also in some newspaper published in the county where the works of the corporation are situated, if a paper be published therein.

SEC. 18. If any portion of the assessment mentioned in the notice remain unpaid on the day specified therein for declaring the stock delinquent, the secretary shall, unless otherwise ordered by the board of directors, cause to be published, in the same papers in which the notice hereinbefore provided for shall have been published, a notice substantially in the following form: (Name of corporation in full. Location of principal place of business.) Notice.—There are delinquent upon the following-described stock, on account of assessment levied on the (date), (and assessments levied previous thereto, if any), the several amounts set opposite the names of the respective shareholders, as follows: (Names, number of certificates, number of shares, amount.) And in accordance with law (and order of the board of directors made on the (date), if any such order shall have been made), so many shares of each parcel of such stock as may be necessary will be sold at the (particular place), on the (date), at (the hour) of such day, to pay delinquent assessments thereon, together with the costs of advertising and expenses of the sale.

SEC. 19. The notice must specify every certificate of stock, the number of shares it represents, and the amount due thereon, except where the certificates may not have been issued to parties entitled thereto, in which case the number of shares and amount due thereon, together with the fact that the certificates for such shares have not issued, must be stated.

SEC. 20. The notice, when published in a daily paper, must be published for ten days, excluding Sundays and holidays, previous to the day of sale. When published in a weekly paper, it must be published in each issue for two weeks previous to the day of sale. The first publication of all delinquent sales must be at least fifteen days prior to the day of sale.

SEC. 21. By the publication of the notice the corporation acquires jurisdiction to sell and convey a perfect title to all of the stock described in the notice of sale upon which any portion of the assessment or costs of advertising remains unpaid at the hour appointed for the sale, but must sell no more of such stock than is necessary to pay the assessments due and costs of advertising and sale.

SEC. 22. On the day, at the place, and at the time appointed in the notice of sale, the secretary shall, unless otherwise ordered by the board of directors, sell, or cause to be sold, at public auction, to the highest bidder for cash, so many shares of each parcel of the described stock as may be necessary to pay the assessment and charges

thereon according to the terms of sale; if payment is made before the time fixed for sale, the party paying shall only be required to pay the actual costs of advertising in addition to the assessment.

SEC. 23. The person offering at such sale to pay the assessment and costs for the smallest number of shares or fraction of a share is the highest bidder, and the stock purchased must be transferred to him on the stock-books of the corporation on payment of the assessment and costs.

SEC. 24. If at the sale of stock no bidder offers the amount of the assessments and costs and charges due, the same may be bid in and purchased by the corporation, through the secretary, president, or any director thereof, at the amount of the assessments, costs, and charges due; and the amount of the assessments, costs, and charges shall be credited as paid in full on the books of the corporation, and the entry of the transfer of the stock to the corporation shall be made on the books thereof. While the stock remains the property of the corporation it is not assessable, nor shall any dividends be declared thereon, but all assessments and dividends shall be apportioned upon the stock held by the stockholders of the corporation.

SEC. 25. All purchases of its own stock vest the legal title to the same in the corporation, and the stock so purchased is held subject to the control of the stockholders, who may make such disposition of the same as they deem fit, in accordance with the by-laws of the corporation or vote of a majority of all the remaining shares. Whenever any portion of the capital stock of a corporation is held by the corporation, a majority of the remaining shares is a majority of the stock for all purposes of election or voting on any question at a stockholders' meeting.

SEC. 26. The dates fixed in any notice of assessment or notice of delinquent sale, published according to the provisions hereof, may be extended from time to time for not more than thirty days, by order of the directors entered on the records of the corporation, but no order extending the time for the performance of any act specified in any notice shall be effectual unless notice of such extension or postponement is appended to and published with the notice to which the order relates.

SEC. 27. No assessment is invalidated by a failure to make publication of the notices herein provided for, nor by the non-performance of any act required in order to enforce payment of the same, but in case of any substantial error or omission in the course of proceedings for collection, all previous proceedings, except the levying the assessment, are void, and publication must be begun anew.

SEC. 28. No action shall be sustained to recover stock sold for delinquent assessments upon the ground of irregularity or defect of the notice of sale or defect or irregularity in the sale, unless the party seeking to maintain such action first pays or tender to the corporation, or the party holding the stock sold, the sum for which the same was sold, together with all the subsequent assessments which may have been paid thereon, and interest on such sums from the time they were paid, and no such action shall be sustained unless the same is commenced by the filing of a complaint and the issuing of a summons thereon within six months after such sale was made.

SEC. 29. The publication of notice required by this act may be proved by the affidavit of the printer, foreman, or principal clerk of the newspaper in which the same was published, and the affidavit of the secretary or auctioneer shall be *prima-facie* evidence of the time and place of sale of the quantity and particular description of the stock sold, and to whom, and for what price, and of the fact of the purchase money being paid. The affidavits shall be filed in the office of the corporation, and copies of the same, certified by the secretary thereof, shall be *prima-facie* evidence of the facts therein stated. Certificates signed by the secretary and under the seal of the corporation shall be *prima-facie* evidence of the contents thereof.

SEC. 30. Any person who is the holder of full paid-up capital stock shall be liable for any assessments, or for any indebtedness of the corporation, otherwise than by sale of his or her stock as herein provided, unless distinctly provided for in the articles of corporation, which articles or incorporation shall not be changed in this respect without the consent of all the stockholders in writing.

SEC. 31. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

CHAP. XXXVI.—FISH AND GAME.

AN ACT amending certain acts for the preservation of fish and game. (Approved February 20, 1880, p. 69.)

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SECTION 4. That any person, corporation, or association who has or may hereafter take out the waters of any stream or lake in this territory that contains fish shall be required to place above the head-gate, near the point from where the water is diverted from such stream or lake, a screen, made of wire or other suitable material, the meshes not to exceed one and a quarter inches square, and to keep the same in good repair.

AN ACT requiring recorders of mining districts to give bonds. (Approved February 19, 1880, p. 26.)

SECTION 1. That the recorders of the several mining districts shall each take an oath of office and give a bond, with approved securities, in the penal sum of one thousand dollars, which bond shall be approved by and filed in the office of the probate judge of their respective counties.

SEC. 2. In cases where the recorder of any mining district appoints a deputy, said recorder shall be responsible for the official acts of said deputy.

AN ACT providing for recording vested rights to the use of water and regulating their exercise. (Approved February 20, 1880, p. 36.)

SECTION 1. That the selectmen of the several counties of this territory are hereby created *ex-officio* water commissioners for their respective counties, whose powers and duties shall be to make, or cause to be made and recorded, such observations, from time to time, as they may deem necessary, of the quantity and flow of water in the natural sources of supply, and to determine, as near as may be, the average flow thereof at any season of the year, and to receive, hear, and determine all claims to the use of water, and, on receipt of satisfactory proof of any right to the use of water having vested, to issue to the person owning such right a certificate therefor for recording, and to generally oversee in person, or by agents appointed by them, the distribution of water within their respective counties from natural sources of supply to all the corporations or persons having joint rights in and to any natural source of supply, and to fairly distribute, according to the nature and extent of recorded rights, and according to law, to each of said corporations or persons their several portions of such water; and in case of dispute between any of such persons or corporations as to the nature or extent of their rights to the use of water, or right of way, or damages therefor, of any one or more of such persons or corporations, to hear and decide upon all such disputed rights, and to file a copy of their findings and decisions as to such rights with the county recorder, and to distribute the water according to such findings or decision, unless otherwise ordered by a court of competent jurisdiction.

SEC. 2. In cases where persons or corporations use water in different counties from the same natural source of supply, the water commissioners of each of said counties shall unite in appointing, either from among their number or otherwise, as they may determine, a board of reference, of not less than three competent persons, to hear and decide all disputes in regard to water-rights in and to such natural source of supply, and they shall file a copy of their decision with the county recorders of each of said counties. Said water commissioners and members of the board of reference shall each, respectively, have power to administer oaths, and if any person who may be duly sworn in any matter in relation to the nature, extent, or exercise of any right or duty under any of the provisions of this act shall falsely swear, such person shall be deemed guilty of perjury.

SEC. 3. The certificates of the water commissioners shall state generally the nature and extent of the right to use water of the person or corporation to whom it is issued, and must be filed with the county recorder for recording.

SEC. 4. It shall be the duty of the county recorder of each county, upon any certificate of water commissioners being filed in his office, as prescribed by this act, and upon any findings or decisions of any commissioners or board of reference as to the extent of any of such rights, and upon payment of the fees allowed by law for such service, to record, in a book or books to be kept by him for such purposes, all such certificates, findings, and decisions, which said record shall be deemed to impart notice to all persons whomsoever of the contents thereof, and shall be *prima-facie* evidence of the existence and verity of the facts therein recited.

SEC. 5. No person or corporation shall maintain any suit, at law or in equity, for the determination of the existence or extent of any right or rights to the use of water in this territory until after the decision of the proper county commissioners, or of the proper board of reference, as the case may be, unless said commissioners or board shall fail and neglect to hear and decide such person's claim of right to use of water for more than three months after such person may have presented, in writing, his claim or claims, and evidence in support thereof, for adjudication: *Provided*, This section shall not be construed to affect or impair the authority or jurisdiction of any court in the issuance of a temporary injunction or restraining order in such cases, or to abridge the right of any person aggrieved by any such decision to maintain any lawful suit or appeal after such decision may have been made.

SEC. 6. A right to the use of water for any useful purpose, such as for domestic purposes, irrigating lands, propelling machinery, washing and sluicing ores, and other like purposes, is hereby recognized and acknowledged to have vested and accrued, as a primary right, to the extent of, and reasonable necessity for, such use thereof, under any of the following circumstances: First. Whenever any person or persons shall have taken, diverted, and used any of the unappropriated water of any natural stream, water-course, lake, or spring, or other natural source of supply. Second. Whenever any person or persons shall have had the open, peaceable, uninterrupted, and continuous use of water for a period of seven years.

SEC. 7. A secondary right to the use of water for any of said purposes is hereby recognized and acknowledged to have vested and accrued (subject to the perfect and complete use of all primary rights) to the extent of, and reasonable necessity for, such use thereof, under any of the following circumstances: First. Whenever the whole of the waters of any natural stream, water-course, lake, spring, or other natural source of supply has been taken, diverted, and used by prior appropriators for a part or parts of each year only, and other persons have subsequently appropriated any part or the whole of such water during any other part of such year, such person shall be deemed to have acquired a secondary right. Second. Whenever, at the time of an unusual increase of water, exceeding seven years' average flow of such water, at the same season of each year, all the water of such average flow then being used by prior appropriators, and other persons appropriate and use such increase of water, such persons shall be deemed to have acquired a secondary right.

SEC. 8. A right to the use of water may be measured by fractional parts of the whole source of supply, or by such fractional parts, with a limitation as to periods of time when used or intended to be used, or it may be measured by cubic inches, with a limitation specifying the depth, width, and declination of the water at point of measurement, and, if necessary, with a further limitation as to periods of time when used or intended to be used; and such right may be appurtenant to the land upon which such water is used, or it may be personal property, at the option of the rightful owner of such right; and a change of the place of use of water shall in no manner affect the validity of any person's right to use water, but no person shall change the place of use of water to the damage of his co-owners in such right without just compensation.

SEC. 9. A continuous neglect to keep in repair any means of diverting or conveying water, or a continuous failure to use any right to water for a period of seven years, at any time after the passage of this act, shall be held to be an abandonment and forfeiture of such right, and whenever hereafter a conveyance of any parcel of land is executed, and a right to the use of water has been continuously exercised from the time of its first appropriation in irrigating such land, such right shall pass to the grantee of such conveyance; and in cases where such right has been exercised in irrigating different parcels of land at different times, such right shall pass to the grantee of any parcel of land on which such right was exercised next preceding the time of the execution of any conveyance thereof, subject, however, in all cases, to payment by the grantee of any such conveyance of all amounts unpaid on any assessment then due upon any such right: *Provided*, That in any of the cases mentioned in this section any such right to the use of water, or any part thereof, may be reserved by the grantor of any such conveyance by making such reservation in express terms inserted in such conveyance.

SEC. 10. All rights to the use of water and means of diverting water shall be exempt from taxation, except for the purpose of regulating the exercise of the use of such right, in all cases where the land or other property upon which the water pertaining to such rights is assessable for taxation, but in making the assessment the assessor shall estimate the increased value of such land or other property caused by the use of such water.

SEC. 11. It shall be the duty of all persons using water from any natural source of supply to provide suitable ditches for conveying surplus water again into the natural channel or other place of use, to the satisfaction or approval of the water commissioners; and if, through neglect so to provide such ditches, water is allowed to form pools or marshes or otherwise run to waste, or if any person shall turn or use any water in a manner that damages the property of another, except when such turning or using is in the prudent, careful exercise of such person's lawful right to so turn or use, such person or persons so offending shall be liable for damages to any aggrieved person entitled to the use of water from the same source of supply, and the water commissioners may, on application, or of their own motion, cause the water supply to be diverted from such offending party until such waste-ditches are provided.

SEC. 12. Whenever the terms mentioned in this section are employed in this act they are employed in the sense hereinafter affixed to them, except where a different sense plainly appears: First. The term "person", when applicable, includes "firm", "partnership", "joint-stock company", "association", and "corporation". Second. Words in the singular number may include the plural, and words in the masculine may include the feminine. Third. The term "continuous use" includes use for that part of each year necessary for the purpose used for.

SEC. 13. That section 2192 of the Compiled Laws of Utah is hereby repealed, and the following enacted in lieu thereof: "Any person who, in violation of any right of any other person, willfully turns or uses the water, or any part thereof, of any canal, ditch, or reservoir, except at a time or times when the use of such water has been duly distributed to such person, or willfully uses any greater quantity of such water than has been duly distributed to him, or in any way changes the flow of water when lawfully distributed for irrigating or other useful purposes, except when duly authorized to make such change, or willfully and maliciously breaks or injures any dam, canal, water-gate, ditch, or other means of diverting or conveying water for irrigation or other useful purposes, is guilty of a misdemeanor.

SEC. 14. Whenever the waters of any natural source of supply are not sufficient for the service of all those having primary rights to the use of the same, such water shall be distributed to each owner of such right in proportion to its extent; but those using the water for domestic purposes shall have the preference over those claiming for any other purpose, and those using the water for irrigating lands shall have preference over those using the same for any other purpose except domestic purposes: *Provided*, Such preference shall not be exercised to the injury of any vested right without just compensation for such injury.

SEC. 15. All persons shall have the right of way across and upon public, private, and corporate lands, or other right of way for the construction and repair of all necessary reservoirs, dams, water-gates, canals, ditches, flumes, or other means of securing and conveying water for any necessary public use, or for drainage, upon payment of just compensation therefor, but such right of way shall in all cases be exercised in a manner not to unnecessarily impair the practical use of any other right of way, highway, or public or private road, nor to unnecessarily injure any public or private property.

SEC. 16. Whenever a majority of individuals owning several rights to the use of water and a joint interest in the means of diverting or conveying such water, or who may desire to divert and use any unappropriated water, desire to organize themselves into an association for the purposes of regulating the diversion and distribution of

such water, they may organize into a corporation in the manner provided in "An act providing for incorporating associations for mining, manufacturing, commercial, and other industrial pursuits", approved February 18, 1870, and all amendments thereto, with power to levy and collect all necessary assessments; and the distribution of water to each stockholder may be regarded as the payment of dividends; and such corporation shall have perpetual succession, unless dissolved by three years' non-use of its rights, or by a two-thirds majority vote of its members at a meeting called for that purpose. In all cases of dissolution the property held by the corporation shall revert to the members in proportion to their rights therein, or they may organize into an irrigation district, under "An act to incorporate irrigation companies", approved January 20, 1865, as they may elect.

SEC. 17. All acts or parts of acts in conflict with this act are hereby repealed.

AN ACT to protect persons and animals in certain cases. (Approved February 20, 1880, p. 68.)

SECTION 1. That any person who sinks a shaft on the public domain or commons, either prospecting for coal, silver, or other minerals, or for ventilating coal, silver, or other mines, shall inclose such shaft with a substantial curb or fence at least four and one-half feet high.

SEC. 2. The owner, lessee, or agent of any coal-mine who by working such mine has caused, or may hereafter cause, the surface on the public domain, commons, highway, or other lands to cave in, forming a pit in which persons or animals are liable to fall, shall cause said cave or sink to be filled up or securely fenced with a good, lawful fence, and if he has heaped, piled, or shall hereafter heap slack-coal on the surface, and such slack coal shall take fire, endangering the life or safety of any person or animal, he shall cause the fire to be extinguished, or the burning coal to be inclosed with a sufficient fence.

SEC. 3. Any person failing to comply with the provisions of this act is guilty of a misdemeanor, and shall be liable for all damages.

WASHINGTON TERRITORY.

STATUTES OF 1866, 1867, 1871, 1873.

AN ACT to regulate the holding of lead, copper, and iron mining-claims. (Approved January 10, 1867; Stats., 1866-'67, p. 146.)

SECTION 1. That any person may locate, claim, or take up a tract of land, not exceeding three hundred yards square on the surface of the ground, containing any lead, copper, or iron ore or mineral, in this territory, and hold and have the exclusive possession thereof.

SEC. 2. It shall be the duty of any person taking up, locating, or claiming any mining-claim or mineral lode, of any of the minerals mentioned in section one of this act, to distinctly mark the bounds thereof by firmly planting stakes at each corner of his claim, which stakes shall not be less than three inches square, and shall have the name of the claimant and the number of the claim plainly marked or cut thereon, and the said claim shall be numbered in its regular order, counting from the discovery claim; and the said claimant shall, within thirty days after the location of such mining-claim or mineral lode, make out and record, in the office of the county auditor of the county in which said claim is located, a description of his said claim, including the number of the claim, the date of the location thereof, and the name of the claimant.

SEC. 3. It shall be the duty of every person locating a mining-claim or mineral lode under the provisions of this act, within one year after locating the same, to do, or cause to be done, one hundred dollars' worth of work on said claim, and the said claimant shall, within three years after the location of said claim, have the same opened up, and shall then work the same at least three months in each year.

SEC. 4. Any person locating a mining-claim or mineral lode under the provisions of this act, who shall fail to comply with any of the requirements of sections one and two of this act, shall forfeit all right, title, or claim to such mining-claim or mineral lode acquired under or by virtue of this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

AN ACT in relation to quartz-mining claims. (Approved November 26, 1869; Stats., 1869, p. 386.)

SECTION 1. That the extent of a quartz-mining claim in said territory shall be two hundred feet of the lode, including all dips, spurs, and angles within said two hundred feet, and for fifty feet on each side of the ledge.

SEC. 2. Any person who may discover a ledge of mineral-bearing quartz within this territory shall be entitled to hold two claims, one as a discovery claim and one by right of pre-emption.

SEC. 3. No person shall be entitled to hold a quartz-mining claim in said territory unless upon locating such claim he shall distinctly mark the bounds by planting firmly stakes not less than three inches square at each end of such claim, and by placing thereon a notice in writing, designating the name of each claimant, the number of

the claim, and if the discovery claim, the same shall be so specified, together with the name of the ledge and the number of feet in the aggregate, together with date of location; and shall cause the same to be recorded, in the county auditor's office in the county in which such claim or ledge may be situated, within twenty days after locating such claim.

SEC. 4. It shall be the duty of the county auditor of the county in which such claim is located to record all notices of the location of claims under the provisions of this act in a book, to be by him kept in his office, to be called the "book of quartz-claims", and shall be entitled to charge and receive, for each and every claim such notice shall contain, the sum of one dollar.

SEC. 5. Every person who may locate a quartz-mining claim in said territory shall, within one year after locating such claim, do, or cause to be done, one hundred dollars' worth of work upon each and every claim held or located by such person. An affidavit, sworn to before any person competent to administer oaths, by the person or persons performing such labor or work, and filed with the county auditor, shall be *prima-facie* evidence of the compliance with the requirements of this section.

SEC. 6. Individuals associated together as companies may, by working upon any portion of the claims held or owned by them as a company to the amount of one hundred dollars for each and every claim so held, be deemed to have worked on each claim, and shall not, therefore, be deemed to have forfeited any part thereof, or may pay into the county treasury the amount of one hundred dollars, as provided for in section fifth of this act.

SEC. 7. No sales or transfer of claims shall be deemed valid unless the same shall be recorded, in the county auditor's office in the county where such claim or claims may be situated, within twenty days after such sale or transfer.

SEC. 8. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its approval by the governor.

AN ACT in relation to foreign corporations holding property or doing business in this territory. (Approved November 29, 1871; Stats., 1871, p. 101.)

SECTION 1. That all corporations now existing or hereafter formed under the laws of the states or other territories of the United States shall have full power and authority to sue and be sued, hold, purchase, and acquire, sell, lease, and dispose of real and personal property, and generally to do and perform any and every act and transact business within this territory in the same manner and to the same extent as though said corporation had been organized under the laws of this territory: *Provided*, That any such corporation hereafter acquiring property or commencing to transact business in the territory shall first comply with the provisions of section two of this act: *And provided further*, That all the real estate of such corporation within this territory, and all the personal property of such corporation in this territory, including steamboats, all other vessels navigating the waters of said territory, and all other personal property used in prosecuting the business of said corporation within this territory, shall be liable to taxation in this territory, any provisions in this act incorporating said company to the contrary notwithstanding.

SEC. 2. That said corporation shall file, or cause to be filed, in the office of the secretary of the territory, an authenticated copy of its act or articles of incorporation, and shall constitute and appoint an agent, who shall reside at the place in the territory where the principal place of business of said corporation in the territory shall be carried on, duly authorized to accept service of process, and upon whom service of process may be made in any action or suit pertaining to the property, business, or transactions of said corporation within this territory in which said corporation may be a party, and shall file, in the office of the secretary of the territory, a duly-executed appointment of such agent, naming his place of residence, and shall continually have and keep some resident agent so as aforesaid empowered; and service upon such agent shall be taken and held as due service on said corporation: *Provided further*, That said agent or his place of residence may from time to time be changed upon filing a new appointment or notice of the change in the place of residence.

SEC. 3. That nothing in this act shall be so construed as to render void anything heretofore done by any corporation of any other territory or a state of the United States not inconsistent with the organic law of this territory, but such acts and things shall remain valid as if the same had been done by corporations formed under the laws of this territory.

SEC. 4. This act shall take effect and be in force from and after its approval by the governor.

NOTE.—So much of section 2 as requires appointment of agent who shall reside in the territory is repealed by section 2 of "An act permitting foreign corporations to build, lease, or purchase railroads, tramways, and bridges", approved November 5, 1875 (Stats., 1875, p. 108).

AN ACT in relation to quartz-mining claims. (Approved November 13, 1873; Stats., 1873, p. 444.)

Whereas the Congress of the United States did, by act approved May 10, 1872, provide that all mineral lands, both surveyed and unsurveyed, should thereafter be free and open to exploration and purchase by citizens of the

United States, and those who had duly declared their intentions to become such, and did, by said act, recognize the local customs and rules of miners in different mining districts of the United States and its territories, and did make certain other provisions and regulations in reference to mineral lands that local laws may regulate and make operative: Therefore,

SECTION 1. *Be it enacted, etc.*, That all mining-claims upon veins or lodes of quartz, or other rock in place bearing gold, or other valuable mineral deposits heretofore located, shall be governed as to length along the vein or lode by the customs, regulations, and laws in force on the date of their location. A mining-claim located after the passage of this act, whether located by one or more persons, may equal but not exceed one thousand five hundred feet in length along the vein or lode; but no location of a mining-claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than three hundred feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than twenty-five feet of surface on each side of the middle of the vein or the surface, except where adverse rights existing on the 10th day of May, 1872, shall render such limitation necessary. The end-lines of each claim shall be parallel to each other.

SEC. 2. The locators of all mining locations heretofore made on any mineral vein, lode, or ledge on the public domain, and their heirs and assigns, so long as they comply with United States, territorial, and local laws, shall have exclusive right of possession and enjoyment of all surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth to the top or apex of which lies inside of such surface-lines extending downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside of the vertical side-line of said surface-locations: *Provided*, That nothing in this section shall be construed to extend the claim of any locator of a mining-claim into the claim owned or possessed by any other person.

SEC. 3. The miners of each mining district may make rules and regulations governing the location, manner of recording, and amount of work necessary to hold possession of a mining-claim, subject to the requirements of the act of Congress approved May 10, 1872, entitled "An act to promote the development of the mining resources of the United States", which are as follows: "The location must be distinctly marked on the ground, so that its boundaries may be readily traced. All records of mining-claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims, located by reference to some natural objects or permanent monument, as will identify the claim. On each claim located after the passage of this act, and until a patent shall issue therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year, and, upon a failure to comply with these conditions, the claim upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made": *Provided*, That all mining-claims shall be recorded in the office of the county auditor of the county where the same is situated, until regulations for the recording thereof shall be duly made by the miners of the mining-district in which the claim is situated: *And provided further*, That such record with the county auditor, before such regulations may have been made by the miners of the district providing for the record of such location, shall be all the record of the same that shall be required in the mining districts of this territory.

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 5. This act to take effect and be in force from and after its passage.

NOTE.—Section 3 of this act was amended by a substitute section by "An act to amend an act entitled 'An act in relation to quartz-mining,'" etc., approved November 12, 1875 (Stats., 1875, p. 126).

CHAP. XV.—AN ACTION TO RECOVER POSSESSION OF A MINING-CLAIM.

AN ACT relating to justices of the peace and to their practice and jurisdiction. (Approved November 13, 1873; Stats., 1873, p. 372.)

SECTION 181. Any person claiming the right to the occupancy and possession of a mining-claim withheld by another may make complaint, in writing and on oath, to a justice of the peace of the county in which the mining-claim is situated, setting forth the facts constituting his right to such possession and occupancy, and such a description of the mining-claim as can conveniently be given, and that the defendant wrongfully withholds the possession from him.

SEC. 182. Upon filing such complaint, the same proceeding shall be had before the justice as in actions for forcible entry and detainer, and if the judgment be rendered for the plaintiff, a writ of restitution may in like manner be issued to place the plaintiff in possession of such mining-claim.

SEC. 183. In an action to recover possession of a mining-claim, proof shall be admitted of the customs, usages, or regulations established and in force at the bar or diggings embracing such claim, and such customs and regulations, when not in conflict with the laws of the United States or this territory, shall govern the decision of the action.

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SEC. 238. This act shall take effect and be in force from and after its passage.

SESSION LAWS OF 1873, 1875.

CHAP. I.—GENERAL INCORPORATIONS.

AN ACT to provide for the formation of corporations. (Approved November 13, 1873; Sess. Laws, 1873, p. 398.)

SECTION 1. That corporations for manufacturing, mining, milling, wharfing and docking, mechanical, mercantile, building, and farming purposes, or for the purpose of building, equipping, and running railroads, or engaging in any other species of trade or business, may be formed according to the provisions of this act, such corporations and the members thereof being subject to all the conditions and liabilities herein imposed, and to none others.

SEC. 2. Any two or more persons, who may desire to form a company for any one or more of the purposes specified in the preceding section, shall make and subscribe written articles of incorporation in triplicate, and acknowledge the same before any officer authorized to take the acknowledgments of deeds, and file one of such articles in the office of the secretary of the territory, and another in the office of the county auditor of the county in which the principal place of business of the company is intended to be located, and retain the third in the possession of the corporation. Said articles shall state the corporate name of the company, the object for which the same shall be formed, the amount of its capital stock, the time of its existence, not to exceed fifty years, the number of shares of which the capital stock shall consist, the number of trustees, and their names, who shall manage the concerns of the company for such length of time (not less than two or more than six months) as may be designated in such certificate, and the name of the city, town, or locality and county in which the principal place of business of the company is to be located. Amendments may be made to the articles of incorporation by supplemental articles executed and filed the same as the original articles.

SEC. 3. A copy of any certificate of incorporation, filed in pursuance of this act and certified by the auditor of the county in which it is filed, or his deputy, or by the secretary of the territory, shall be received in all the courts and places as *prima-facie* evidence of the facts therein stated.

SEC. 4. When the certificate shall have been filed, the persons who shall have signed and acknowledged the same, and their successors, shall be a body corporate and politic, in fact and in name, by the name stated in their certificate, and by their corporate name have succession for the period limited, and power:

1. To sue and be sued in any court having competent jurisdiction.
2. To make and use a common seal and to alter the same at pleasure.
3. To purchase, hold, mortgage, sell and convey real and personal property.
4. To appoint such officers, agents, and servants as the business of the corporation shall require; to define their powers, prescribe their duties, and fix their compensation.
5. To require of them such security as may be thought proper for the fulfillment of their duties, and to remove them at will, except that no trustee shall be removed from office unless by a vote of two-thirds of the stockholders, as hereinafter provided.
6. To make by-laws not inconsistent with the organic act of this territory and the laws of the Congress of the United States and of this territory.
7. The management of its property, the regulation of its affairs, the transfer of its stock, and for carrying on all kinds of business within the objects and purposes of the company as expressed in the articles of incorporation.

SEC. 5. The corporate powers of the corporation shall be exercised by a board of not less than two trustees, who shall be stockholders in the company, and a majority of them citizens of the United States and residents of this territory, who shall, before entering upon the duties of their office, respectively take and subscribe to an oath, as prescribed by the laws of this territory, and who shall, after the expiration of the term of the trustees first elected, be actually elected by the stockholders at such time and place within the territory, and upon such notice and in such manner as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he may own or represent by proxy shares of stock, and the person or persons receiving the greatest number of votes shall be trustee or trustees: *Provided*, That nothing herein contained shall prevent any corporation by their by-laws limiting such *bona fide* shareholder to a single vote, or one vote for every full share of paid-up stock, or its equivalent in assessable stock, disregarding the number of shares of stock he may own. It shall be competent at any time for two-thirds of the stockholders of any corporation organized under this act to expel any trustee from office and to elect another to succeed him. In all cases where a meeting of the stockholders is called for the purpose of expelling a trustee and electing his successor, such notice shall be given of the meeting as the by-laws of the company may require. Whenever any vacancy shall happen among the trustees, by death, resignation, or otherwise, except by removal and the election of his successor as herein provided, it shall be filled by appointment of the board of trustees.

SEC. 6. If it shall happen at any time that an election of trustees shall not be made on the day designated by the by-laws of the company, the corporation shall not for that reason be dissolved; but it shall be lawful on any other day to hold an election for trustees in such manner as shall be provided for in the by-laws of the company, and all acts of the trustees shall be valid and binding upon the company until their successors are elected and qualified.

SEC. 7. A majority of the whole number of trustees shall form a board for the transaction of business, and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

SEC. 8. The first meeting of the trustees shall be called by a notice signed by one or more persons named as trustees in the certificate, setting forth the time and place of the meeting, which notice shall be either delivered personally to each trustee or published at least twenty days in some newspaper in the county in which is the principal place of business of the corporation, or if no newspaper is published in the county, then in some newspaper nearest thereto in the territory.

SEC. 9. The stock of the company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the company; but no transfer shall be valid, except between the parties thereto, until the same shall have been entered upon the books of the company so as to show the names of the parties by and to whom transferred, the numbers and designation of the shares, and the date of the transfer.

SEC. 10. The stockholders of any corporation formed under this act may in the by-laws of the company prescribe the times, manner, and amounts in which payments of the sums subscribed by them, respectively, shall be made; but in case the same shall not be so prescribed, the trustees shall have the power to demand and call in from the stockholders the sums by them subscribed, at such time and in such manner, payments, or installments as they may deem proper. In all cases notice of each assessment shall be given to the stockholders personally, or by publication in some newspaper published in the county in which the principal place of business of the company is located; and if none be published in such county, then in the newspaper nearest to said principal place of business in the territory. If, after such notice has been given, any stockholders shall make default in the payment of assessments upon the shares held by him, so many of said shares may be sold as will be necessary for the payment of the assessment upon all the shares held by him, her, or them. The sale of said shares shall be made as prescribed in the by-laws of the company, but shall in no case be made at the office of the company. No sale shall be made except at public auction, to the highest bidder, after a notice of four weeks, published as above directed in this section, and at such sale the person who shall pay the assessment so due, together with the expenses of advertising and sale, for the smallest number of shares or portion of a share, as the case may be, shall be deemed the highest bidder.

SEC. 11. Whenever any stock is held by a person as executor, administrator, guardian, or trustee, he shall represent such stock at all the meetings of the company, and may vote accordingly as a stockholder.

SEC. 12. Any stockholder may pledge his stock by a delivery of the certificates or other evidence of his interest, but may, nevertheless, represent the same at all meetings and vote as a stockholder.

SEC. 13. It shall not be lawful for the trustees to make any dividend, except from the net profits arising from the business of the corporation, nor divide, withdraw, or in any way pay to the stockholders, or any of them, any part of the capital stock of the company, nor to reduce the capital stock of the company, unless in the manner prescribed in this act or the articles of incorporation or by-laws; and in case of any violation of the provisions of this section, the trustees under whose administration the same may have happened, except those who may have caused their dissent therefrom to be entered at large on the minutes of the board of trustees at the time, or were not present when the same did happen, shall, in their individual or private capacities, be jointly or severally liable to the corporation, and the creditors thereof in the event of its dissolution, to the full amount so divided, or reduced, or paid out: *Provided*, That this section shall not be construed to prevent a division and distribution of the capital stock of the company which shall remain after the payment of all its debts upon the dissolution of the corporation or the expiration of its charter.

SEC. 14. No corporation organized under this act shall by any implication or construction be deemed to possess the power of issuing bills, notes, or other evidences of debt for circulation as money, except bonds by railroad companies, which shall at no time exceed double the amount of paid-up stock issued by said company. And each and every stockholder shall be personally liable to the creditors of the company to the amount of what remains unpaid upon his subscription to the capital stock, and not otherwise.

SEC. 15. No person holding stock as executor, administrator, guardian, or trustee, or holding it as collateral security or in pledge, shall be personally subject to any liability as a stockholder of the company; but the person pledging the stock shall be considered as holding the same, and shall be liable as a stockholder, and the estate and funds in the hands of the executor, administrator, or guardian or trustee shall be liable in like manner and to the same extent as the testator, or intestate, or the ward or person interested in the trust fund would have been if he or she had been living and competent to act and hold the stock in his or her own name.

SEC. 16. It shall be the duty of the trustees of every company incorporated under this act to keep a book containing the names of all persons, alphabetically arranged, who are or shall be stockholders of the corporation, and showing the number of shares of stock held by them, respectively, and the time when they became the owners of such shares, which book, during the usual business hours of the day, on every day excepting Sunday and the legal holidays, shall be open for the inspection of stockholders and creditors of the company at the office or principal place of business of the company; and any stockholder or creditor of the company shall have the right to make extract from such book, or to demand and receive from the clerk or other officer having the charge of such book a certified copy of any entry therein, or to demand and receive from any clerk or officer a certified copy of any paper

placed on file in the office of the company, and such book and certified copy shall be presumptive evidence of the fact therein stated in any action or proceeding against the company or any one or more of the stockholders.

SEC. 17. If at any time the clerk or other officer having charge of such books shall make any false entry or neglect to make any proper entry therein, or, having the charge of any papers of the company, shall refuse or neglect to exhibit the same or allow the same to be inspected or extracts to be taken therefrom, or to give a certified copy of any entry as provided in the preceding section, he shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the injured party a penalty of not less than one hundred dollars nor more than one thousand dollars, and all damages resulting therefrom, to be recovered in any action of debt in any court having competent jurisdiction; and for neglecting to keep such book for inspection as aforesaid the corporation shall forfeit to the people the sum of one hundred dollars for every day it shall so neglect, to be sued for and recovered in the name of the people in the district or probate court of the county in which the principal place of business of the corporation is located.

SEC. 18. Any company incorporated under this act may, by complying with the provisions herein contained, increase or diminish its capital stock to any amount which may be deemed sufficient and proper for the purposes of the corporation; but before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of its debts and liabilities shall exceed the sum to which the capital is proposed to be diminished, such amount shall be satisfied and reduced so as not to exceed the diminished amount of the capital.

SEC. 19. Whenever it is desired to increase or diminish the amount of capital stock, a meeting of the stockholders shall be called, by a notice signed by at least a majority of the trustees, and published at least eight weeks in some newspaper published in the county where the principal place of business of the company is located, or if no newspaper is published in the county, then the newspaper nearest thereto in the territory, which notice shall specify the object of the meeting, the time and place where it is to be held, and the amount to which it is proposed to increase or diminish the capital, and a vote of two-thirds of all the shares of stock shall be necessary to increase or diminish the amount of capital stock.

SEC. 20. If at a meeting so called a sufficient number of votes have been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings showing a compliance with these provisions, the amount of capital actually paid in, the whole amount of debts and liabilities of the company, and the amount to which the capital stock is to be increased or diminished, shall be made out and signed and verified by the affidavit of the chairman and secretary of the meeting, certified to by a majority of the trustees, and filed as required by the second section of this act, and when so filed the capital stock of the corporation shall be increased or diminished to the amount specified in the certificate.

SEC. 21. Upon the dissolution of any corporation formed under the provisions of this act, the trustees at the time of the dissolution shall be trustees of the creditors and stockholders of the corporation dissolved, and shall have full power and authority to sue for and recover the debts and property of the corporation, by the name of the trustees of such corporation, collect and pay the outstanding debts, settle all its affairs, and divide among the stockholders the money and other property that shall remain after the payment of the debts and necessary expenses.

SEC. 22. Any corporation formed under this act may dissolve and disincorporate itself by presenting to the district judge of the judicial district in which the office of the company is located a petition to that effect, accompanied by a certificate of its proper officers, and setting forth that at a meeting of the stockholders called for the purpose it was decided by a vote of two-thirds of all the stockholders to disincorporate and dissolve the corporation. Notice of the application shall then be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in some newspaper of the county once a week for eight weeks, or if no newspaper is published in the county, by publication in the newspaper nearest thereto in the territory. At the time and place appointed, or at any other time to which it may be postponed by the judge, he shall proceed to consider the application, and if satisfied that the corporation has taken the necessary preliminary steps and obtained the necessary vote to dissolve itself, and that all claims against the corporation are discharged, he shall enter an order declaring it dissolved.

SEC. 23. All corporations now existing or hereafter formed under the laws of other states and territories for the conducting and transaction of marine, life, or fire insurance business, with an authorized agent residing in and having an office in this territory, shall have ample power to do and transact such insurance business within this territory not inconsistent with the organic act of this territory, with ample power by their corporate name and style to enjoy all such rights not inconsistent with the organic act as aforesaid, and to maintain and defend the same in any court or place within this territory as fully as though said companies were domestic corporations, incorporated by and in accordance with the laws of this territory.

SEC. 24. Any corporation desiring at any time to remove its principal place of business into some other county in the territory shall file in the office of the county auditor a certified copy of its certificate of incorporation. If it is desired to remove its principal place of business to some other city, town, or locality within the same county, publication shall be made of such removal at least once a week for four weeks in the newspaper published nearest to the city, town, or locality from which the principal place of business of such corporation is desired to be removed. The formation or corporate acts of no corporation hereafter formed under this act shall be rendered invalid by reason of the fact that its principal place of business may not have been designated in its certificate of incorporation:

Provided, That within three months from the passage of this act such corporation shall cause publication to be made once a week for at least four weeks in the newspaper published nearest the city, town, or locality, and where the principal place of business of such corporation has been in fact located, designating the city, town, or locality and county where its principal place of business shall be located. On compliance with the provisions of this section in the several cases herein mentioned the principal place of business of any corporation shall be deemed established or removed at or to any designated city, town, or locality and county in the territory.

SEC. 25. All persons who have organized themselves as a corporation under the provisions of this act for purposes other than those enumerated in section first are hereby declared incorporate bodies, with all the powers the same as they would enjoy had they been incorporated for the purposes set forth in said section first.

SEC. 26. In incorporations already formed, or which may hereafter be formed under this act, where the amount of the capital stock of such corporation consists of the aggregate valuation of the whole number of feet, shares, or interest in any mining-claim in this territory, for the working and development of which such corporation shall be or have been formed, no actual subscription to the capital stock of such corporation shall be necessary; but each owner in said mining-claim shall be deemed to have subscribed such an amount to the capital stock of such corporation as under its by-laws will represent the value of so much of his interest in said mining-claim, the legal title to which he may by deed, deed of trust, or other instrument vest or have vested in such corporation for mining purposes; such subscription to be deemed to have been made on the execution and delivery to such corporation of such deed, deed of trust, or other instrument; nor shall the validity of any assessment levied by the board of trustees of such corporation be affected by the reason of the fact that the full amount of the capital stock of such corporation as mentioned in its certificate of incorporation shall not have been subscribed as provided in this section: *Provided*, That the greater portion of said amount of capital stock shall have been so subscribed: *And provided further*, That this section shall not be so construed as to prohibit the stockholders of any corporation formed or which may be formed for mining purposes, as provided in this section, from regulating the mode of making subscriptions to its capital stock and calling in the same by by-laws or express contract.

SEC. 27. The provisions of this act shall extend to and apply to all associations already formed under any law of this territory, or hereafter to be formed under the provisions of this act, for the purpose of supplying any cities or towns in this territory, or the inhabitants thereof, with pure and fresh water.

SEC. 28. Such water companies, incorporated for the purposes specified in the preceding section, shall have the right to purchase or take possession of and use and hold such lands and waters, for the purposes of the company, lying without the limits of the city or town intended to be supplied with water, upon making compensation therefor. The mode of proceeding to obtain possession of such lands for the use of the company, right of way for laying pipes and aqueducts for the use of the company, when the parties cannot agree, shall, so far as the same be applicable, be as prescribed in chapters three and four of this act.

SEC. 29. Water companies hereafter incorporating under the provisions of this act must first obtain from the corporate authorities of a city or town intended to be supplied with water the right or privilege so to do; but nothing herein contained shall affect parties now acting under legislative grants or franchises.

CHAP. IV.—MODE OF PROCEEDING TO APPROPRIATE LANDS BY PRIVATE CORPORATIONS. (Sess. Laws, 1873, p. 417.)

SECTION 1. Whenever any corporation authorized by the provisions of this act to appropriate lands for the right of way is unable to agree with the owner thereof as to the compensation to be paid therefor, either such corporation or the owner of such land may by petition, in which the land sought to be appropriated shall be described with reasonable certainty, apply to a justice of the peace in and for the county where said land lies, who shall thereupon summon three disinterested householders of such county to appear before him upon a certain day, not less than five nor more than fifteen days from the date of the filing of such petition, which said summons shall be served upon said householders and the opposite party as other processes before justices of the peace, at least three days before the return day thereof, and the householders so summoned, after being sworn faithfully and impartially to examine the ground which shall be pointed out to them by such corporation or person, or both, and described in the petition, shall assess the damages which they believe such owner or owners will sustain over and above the additional value which the owners of adjoining land will derive from the construction of such road, canal, or other work, and make two written reports, signed by at least a majority of them, one of which shall be delivered to the corporation or person presenting such petition, and the other to the justice of the peace.

NOTE.—See act for the encouragement and support of mining and manufacturing, approved November 14, 1879; also an act to amend an act approved November 13, 1873, entitled "An act to provide for the formation of corporations", approved November 14, 1879 (Sess. Laws, 1879, p. 134).

SEC. 2. Upon the payment to such justice for the use of the owners, or to the owners of such lands, of the damages assessed by said householders, or a majority thereof, said corporation shall have the right to appropriate the land in question to its own use for corporate purposes, subject to the action of the district court in regard to damages, as hereinafter provided: *Provided*, That nothing herein contained shall be construed to prevent such

corporation from going upon such lands for the purpose of preliminary surveys and explorations and laying out the road or work.

SEC. 3. That said justice shall, within twenty days after the filing of such report of said householders, make out a certified copy thereof and file the same with the clerk of the district court of the district or subdistrict in which the land lies, who shall put the case upon the trial docket of the next term; the petitioner to be plaintiff and the other party defendant; and thereupon, if no objection is made within ten days by either party, the same shall stand confirmed, and judgment be entered accordingly. But either or both parties may elect to have said cause tried, and the parties then shall be at liberty to file the ordinary pleadings in a civil action, or such special pleadings as the court may allow; and the issues thus formed shall be tried as in other civil cases, the costs to be taxed against the corporation only when the verdict and judgment is for a larger amount than was awarded by the householders, or the cause has been tried at the instance of such corporation for the purpose of reducing the amount of damages, and the damages are not so reduced; otherwise the costs shall be taxed against the owner of the land.

SEC. 4. Either party may appeal to the supreme court of the territory as in other cases: *Provided*, That if the owner of the land accepts the sum awarded by the householders he shall be deemed thereby to conclusively waive a trial in the district court and appeal to the supreme court, and final judgment by default may be rendered in the district court as in other cases.

SEC. 5. The district court at the time of rendering judgment for damages, whether upon default or trial, shall also enter up a judgment or decree of appropriation of the land or right of way in question, thereby vesting the legal title to the same in the corporation for corporate purposes.

SEC. 6. All acts and parts of acts heretofore passed upon this subject are hereby repealed.

SEC. 7. This act to be in force and take effect from and after its passage.

AN ACT to amend an act entitled "An act in relation to quartz-mining claims", approved November 13, 1873. (Approved November 12, 1875; Sess. Laws, 1875, p. 126.)

SECTION 1. That section three of said act be amended to read as follows: "The miners of each mining district may make rules and regulations governing the location and amount of work necessary to hold possession of a mining-claim subject to the requirements of the act of Congress approved May 10, 1872, entitled 'An act to promote the development of the mining resources of the United States', which are as follows: 'The location must be distinctly marked on the ground, so that its boundaries may be readily traced. All records of mining-claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located, by reference to some natural objects or permanent monument, as will identify the claim. On each claim located after the passage of this act, and until a patent shall issue therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year, and upon a failure to comply with these conditions, the claim upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made': *Provided*, That all mining-claims shall be recorded in the office of the county auditor of the county where the same is situated".

SEC. 2. All acts or parts of acts in conflict herewith be and the same are hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

NOTE.—This act was repealed, so far as it applies to Stevens county, by act approved November 9, 1877 (Sess. Laws, 1877, p. 335).

AN ACT permitting foreign corporations to build, lease, or purchase railroads, tramways, and bridges. (Approved November 5, 1875; Sess. Laws, 1875, p. 108.)

SECTION 1. That any foreign corporation incorporated under the laws of any state of the United States, or any foreign country, state, or colony, shall be and is hereby permitted to construct, build, equip, lease, use, sell, hold, and dispose of, or acquire by purchase or otherwise, any railroad, tramway, or bridge in this territory, and shall be and is hereby allowed to work and operate the same; to acquire, own, and hold lands in connection therewith; to mortgage the same, or said railroad, tramway, or bridge, and to transact the business, collect and receive tolls, hold, use, and dispose of the franchise and rights of any such railroad, tramway, or bridge, with the same powers and privileges in all respects as now or may hereafter belong to citizens or corporations of this territory: *Provided*, Such corporation shall file in the office of the secretary of the territory a certified copy of its charter or certificate of incorporation.

SEC. 2. That so much of section two (2) of the act entitled "An act in relation to foreign corporations holding property or doing business in this territory", approved November 29, 1871, as requires corporations to appoint an agent who shall reside in the territory, shall not apply to corporations provided for in section one (1) of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

AN ACT permitting foreign corporations to transact business, and to acquire, hold, and dispose of real estate. (Approved November 5, 1875; Sess. Laws, 1875, p. 109.)

SECTION 1. That any corporation incorporated under the laws of any state of the United States, or of any foreign country, state, or colony, may acquire, hold, use, and dispose of, in the corporate name, all real estate necessary or convenient to carry into effect the objects of its incorporation and the transaction of its business, and also any interest in real estate, by mortgage or otherwise, as security for moneys due to or loans made by such foreign corporation in this territory, either prior to or after the passage of this act: *Provided*, Such corporation shall file in the office of the secretary of the territory a certified copy of its charter or certificate of incorporation.

SEC. 2. That so much of section two (2) of the act entitled "An act in relation to foreign corporations holding property or doing business in this territory", approved November 29th, 1871, as requires corporations to appoint an agent who shall reside in the territory, shall not apply to corporations provided for in section one (1) of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

STATUTES OF 1877.

AN ACT to repeal an act entitled "An act to amend an act entitled 'An act in relation to quartz-mining claims'. approved November 12th, 1875, so far as the same applies to Stevens county". (Approved November 9, 1877; Stats., 1877, p. 335.)

SECTION 1. That an act entitled "An act to amend an act entitled 'An act in relation to quartz-mining claims'", approved November 12th, 1875, be, and the same is hereby, repealed so far as it applies to Stevens county.

SEC. 2. This act to take effect and be in force from and after its approval by the governor.

SESSION LAWS, 1877.

AN ACT relating to liens. (Approved November 8, 1877; Sess. Laws, 1877, p. 219.)

CHAP. III.—LIENS OF MECHANICS AND OTHERS UPON REAL PROPERTY.

SECTION 19. Every person performing labor upon or furnishing materials to be used in the construction, alteration, or repair of any mining-claim, building, wharf, bridge, ditch, dyke, flume, tunnel, fence, machinery, railroad, wagon road, aqueduct to create hydraulic power, or any other structure, or who perform labor in any mine or mining-claim, has a lien upon the same for the work or labor done or material furnished by each respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent; and every contractor, subcontractor, architect, builder, or person having charge of any mining, or of the construction, alteration, or repair, either in whole or in part, of any building or other improvement as aforesaid, shall be held to be the agent of the owner for the purposes of this chapter.

SEC. 20. Any person who, at the request of the owner of any lot in any incorporated city or town, grades, fills in, or otherwise improves the same or the street in front of or adjoining the same, has a lien upon such lot for his work done and materials furnished.

SEC. 21. The land upon which any building, improvement, or structure is constructed, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien if, at the commencement of the work or of the furnishing of the materials for the same, the land belonged to the person who caused said building, improvement, or structure to be constructed, altered, or repaired; but if such person owned less than a fee-simple estate in such land then only his interest therein is subject to such lien.

SEC. 22. The liens provided for in this chapter are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also, to any lien, mortgage, or other incumbrance of which the lienholder had no notice, and was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

SEC. 23. Every original contractor, within sixty days after the completion of his contract or other termination thereof, and every person, save the original contractor, claiming the benefit of this chapter, must, within thirty days after the completion of any building, improvement, or structure, or after the completion of the alteration or repair thereof, or after he has ceased to labor thereon from any cause, or after he has ceased to furnish materials therefor, or after the performance of any labor in a mine or mining-claim, file for record with the county auditor of the county in which such property or some part thereof is situated a claim containing a statement of his demand, after deducting all just credits and offsets, with the name of the owner or reputed owner, if known, and also the name of the person by whom he was employed or to whom he furnished the materials, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien sufficient for identification, which claim must be verified by the oath of himself or some other person, to the effect that the affiant believes the claim to be just.

SEC. 24. In every case in which one claim is filed against two or more buildings, mines, mining-claims, or other improvements owned by the same person, the person filing such claim must at the same time designate the amount due to him on each of such buildings, mines, mining-claims, or other improvements, otherwise the lien of such claim is postponed to other liens. The lien of such claim does not extend beyond the amount designated as against other creditors having liens by judgment, mortgage, or otherwise upon either of such buildings or other improvements, or upon the land upon which the same are situated.

SEC. 25. The county auditor must record the claim mentioned in this chapter in a book kept by him for that purpose, which record must be indexed, as deeds and other conveyances are required by law to be indexed, and for which he may receive the same fees as are allowed by law for recording deeds and other instruments.

SEC. 26. No lien provided for in this chapter binds any building, mining-claim, improvement, or structure for a longer period than four calendar months after the claim has been filed, unless proceedings be commenced in a proper court within that time to enforce such lien; or if a credit be given, then four calendar months after the expiration of such credit; but no lien continues in force under this chapter for a longer time than two years from the time the work is completed by any agreement to give credit.

SEC. 27. Every building or other improvement mentioned in section nineteen of this chapter constructed upon any lands with the knowledge of the owner, or the person having or claiming any interest therein, shall be held to have been constructed at the instance of such owner or person having or claiming any interest therein, and the interest owned or claimed shall be subject to any lien provided for under the provision of this chapter, unless such owner or person having or claiming an interest therein shall, within three days after he shall have obtained knowledge of the construction, alteration, or repair, or the intended construction, alteration, or repair, give notice that he will not be responsible for the same by posting a notice in writing to such effect in some conspicuous place upon said land or upon the building or other improvements situated thereon.

SEC. 28. The contractor shall be entitled to recover upon the claim filed by him only such amount as may be due to him according to the terms of his contract after deducting all claims of other parties for work done and materials furnished as aforesaid; and in all cases where a claim shall be filed under this chapter for work done or materials furnished to any contractor, he shall defend any action brought thereupon at his own expense; and during the pendency of such action the owner may withhold from the contractor the amount of money for which the claim is filed; and in case of judgment against the owner or his property upon the lien the said owner shall be entitled to deduct from any amount due or to become due by him to the contractor the amount of such judgment and costs; and if the amount of such judgment and costs shall exceed the amount due by him to the contractor, or if the owner shall have settled with the contractor in full, he shall be entitled to recover back from the contractor any amount so paid by him, the said owner, in excess of the contract price, and for which the contractor was originally the party liable.

SEC. 29. In every case in which different liens are asserted against any property, the court in the judgment must declare the rank of each lien or class of liens, which shall be in the following order:

First. All persons other than the original contractors and subcontractors.

Second. The subcontractor.

Third. The original contractors.

And the proceeds of the sale of the property must be applied to each lien or class of liens in the order of its rank, and whenever on the sale of the property subject to the lien there is a deficiency of proceeds, judgment may be rendered for the deficiency in like manner and with like effect as in actions for the foreclosure of mortgages.

SEC. 30. Any number of persons claiming liens may join in the same action, and when separate actions are commenced the court may consolidate them. The court may also allow as part of the costs the moneys paid for filing and recording the claim, and reasonable attorney's fee in the district and supreme court.

SEC. 31. Whenever materials shall have been furnished for use in the construction, alteration, or repair of any building or other improvement, such materials shall not be subject to attachment, execution, or other legal process to enforce any debt due by the purchaser of such materials, except a debt due for the purchase money thereof, so long as in good faith the same are about to be applied to the construction, alteration, or repair of such building, mining-claim, or other improvement.

SEC. 32. Nothing contained in this chapter shall be construed to impair or affect the right of any person to whom any debt may be due for work done or materials furnished to maintain a personal action to recover such debt against the person liable therefor.

SEC. 33. The liens provided for in this chapter may be enforced in a civil action in the same manner and under the same proceedings as govern in the foreclosure of a mortgage on real estate.

CHAP. IV.—CERTAIN LIENS FOR SALARIES AND WAGES.

SECTION 34. In all assignments of property made by any person to trustees or assignees on account of the inability of the person at the time of the assignment to pay his debts, or in proceedings in insolvency, the wages of

the miners, mechanics, salesmen, servants, clerks, or laborers employed by such persons, to the amount of one hundred dollars each, and for services rendered within sixty days previously, are preferred claims, and must be paid by such trustees or assignees before any other creditor or creditors of the assignor.

SEC. 35. In case of the death of any employer the wages of each miner, mechanic, salesman, clerk, servant, and laborer for services rendered within sixty days next preceding the death of the employer, not exceeding one hundred dollars, rank in priority next after the funeral expenses, expenses of the last sickness, the charges and expenses of administering upon the estate, and the allowance to the widow and infant children, and must be paid before other claims against the estate of the deceased person.

SEC. 36. In cases of executions, attachments, and writs of a similar nature, issued against any person except for claims for labor done, any miners, mechanics, salesmen, servants, clerks, and laborers who have claims against the defendant for labor done may give notice of their claims and the amount thereof, sworn to by the person making the claim, to the creditor and the officer executing either of such writs at any time before the actual sale of property levied on; and, unless such claim is disputed by the debtor or a creditor, such officer must pay to such person out of the proceeds of the sale the amount each is entitled to receive for services rendered within the sixty days next preceding the levy of the writ, not exceeding one hundred dollars. If any or all the claims so presented and claiming preference under this chapter are disputed by either the debtor or a creditor, the person presenting the same must commence an action within ten days for the recovery thereof, and must prosecute his action with due diligence or be forever barred from any claim of priority of payment thereof; and the officer shall retain possession of so much of the proceeds of the sale as may be necessary to satisfy such claim until the determination of such action, and in case judgment be had for the claim, or any part thereof, carrying costs, the costs taxable therein shall likewise be a preferred claim with the same rank as the original claim.

CHAP. XXXI.—EXEMPTION.

AN ACT to regulate the practice and proceedings in civil actions. (Approved November 8, 1877; Sess. Laws, 1877, p. 73.)

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SECTION 351. The following property shall be exempt from execution or attachment, except as is hereinafter specially provided:

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6. To a mechanic, the tools and instruments used to carry on his trade for the support of himself and family; also material not exceeding in value five hundred dollars in coin.

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12. To a teamster and drayman engaged for his support and that of his family, his team. The word team in this subdivision means a span of horses, harness, and one wagon or dray.

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SEC. 352. * * * *Provided*, That nothing in this chapter shall be construed to exempt the property, real or personal, from attachment or execution of non-residents, or a person who has left, or is about to leave, the territory for the purpose of defrauding his creditors.

CHAP. II.—LIMITATION OF ACTIONS.

AN ACT to regulate the practice and proceedings in civil actions. (Approved November 8, 1877; Sess. Laws, 1877, p. 7.)

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SECTION 25. Actions can only be commenced within the periods herein prescribed after the cause of action shall have accrued, except when in special cases a different limitation is prescribed by statute; but in the district court the objection that the action was not commenced within the time limited can only be taken by answer.

SEC. 26. The period prescribed in the preceding section for the commencement of actions shall be as follows:

Within twenty years:

1. Actions for the recovery of real property, or for the recovery of the possession thereof; and no action shall be maintained for such recovery unless it appear that the plaintiff, his ancestor, predecessor, or grantor was seized or possessed of the premises in question within twenty years before the commencement of the action.

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CHAP. III.—ASSESSMENT OF PROPERTY.

AN ACT to provide for the assessing and collecting of county and territorial revenue. (Approved November 14, 1879; Sess. Laws, 1879, p. 9.)

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SECTION 21. The owner or holder of stock in any firm or corporation, the entire capital or property whereof is assessed, must not be assessed individually for his stock in such firm or corporation.

SEC. 22. The property of every firm and corporation must be assessed in the county where the property is situated, and must be assessed in the name of the firm or corporation unless otherwise provided by this act.

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SEC. 42. *Water-ditches and toll-roads—How assessed.*—All water ditches constructed for mining, manufacturing, or irrigation purposes, and wagon or turnpike toll-roads, with all improvements attached to such properties, must be listed and assessed as real estate, without separating the land and the improvements, either in the description or valuation of the same, at a certain sum per mile, and all personal property not so attached must be listed and assessed as other similar personal property is listed and assessed.

* * * * * * * * *

SEC. 50. All lands known to contain mines, minerals, quarries, gypsum, and natural timber of value shall be assessed according to their full cash value, which shall include the value of said mines, minerals, quarries, gypsum, and timber; and the assessor shall note on his assessment roll, immediately under the description of said lands, their nature, whether coal-mines, gold-mines, silver-mines, copper-mines, iron-mines.

AN ACT conferring upon foreign corporations certain powers. (Approved November 10, 1879; Sess. Laws, 1879, p. 148.)

SECTION 1. That all foreign corporations doing business in this territory are authorized to appropriate land for corporate purposes to the same extent and under the same restrictions, rules, and regulations as are prescribed by law for domestic corporations in the act of the legislative assembly of Washington territory, approved November 13, 1873, entitled "An act to provide for the formation of corporations".

SEC. 2. This act to take effect and be in force from and after its passage.

AN ACT to amend an act approved Nov. 13, 1873, entitled "An act to provide for the formation of corporations". (Approved November 14, 1879; Sess. Laws, 1879, p. 134.)

SECTION 1. That all corporations authorized to do business in the territory, and who have been or may hereafter be organized for the purpose of erecting and maintaining flumes or aqueducts to convey water for consumption, or for mining, irrigation, milling, or other industrial purposes, shall have the same right to appropriate lands for necessary corporate purposes and under the same regulations and instructions as are provided for other corporations in the act to which this is amendatory, and such corporations organized for such purposes, in order to carry out the object of their incorporation, are authorized to take and use any water not otherwise legally appropriated or legally claimed.

SEC. 2. This act shall take effect and be in force from and after its passage.

AN ACT for the encouragement and support of mining and manufacturing. (Approved November 14, 1879; Sess. Laws, 1879, p. 124.)

Whereas mining and manufacturing industries are greatly beneficial to the public and should be encouraged and supported in this territory: Now, therefore,

SECTION 1. *Be it enacted, etc.*, That any person or persons, or company now incorporated, or that may hereafter become incorporated, under the laws of this territory, for the purpose of mining or manufacturing, shall have the right to purchase or appropriate and take possession of and divert from its natural channel and use and hold the waters of any river, creek, or stream in this territory that may be required for the mining and manufacturing purposes of any such person or persons, corporation or corporations, and to construct all dams, canals, reservoirs, ditches, pipes, flumes, and aqueducts suitable and necessary for the controlling, directing, and running such waters to their mines or manufacturing establishments of any such person or persons, corporation or corporations, where the same may be intended to be utilized for such purposes: *Provided*, That no such appropriation or diversion of the waters of any such river, creek, or stream from its natural channel, nor shall any such dam, canal, reservoir, ditch, pipe, flume, or aqueduct be constructed, to the detriment of any person or persons, corporation or corporations, occupying the lands or being located below the point or place of such appropriation or diversion on any such stream or its tributaries, or above or below such dam, canal, reservoir, ditch, pipe, flume, or aqueduct, or of the owners of the lands through which the waters run in the natural course for the deprivation of the same, or the owners of the land through or upon which such dam, canal, reservoirs, ditch, pipe, flume, or aqueduct may pass through or over, or be situated upon, unless just and adequate compensation be previously ascertained and paid therefor.

SEC. 2. That the mode of proceeding to appropriate, take possession of and divert such waters, and to build such dam, canal, ditch, reservoir, pipe, flume, or aqueduct, as prescribed in section one of this act, when the parties cannot agree upon the purchase thereof, shall be the same as prescribed in chapter four of an act to provide for the formation of corporations, approved November thirteenth, eighteen hundred and seventy-three, except that the amount of the benefits accruing to the residue of the property of the same individual or corporation, by reason

of the use made of that taken, to be estimated by the parties assessing the damages, shall be deducted from the value of the property taken.

SEC. 3. That all acts or parts of acts heretofore passed that conflict with the provisions of this act are hereby repealed.

SEC. 4. This act to be in force and take effect from and after its passage and approval by the governor.

AN ACT to amend an act entitled "An act relating to liens", approved November 8, 1877. (Approved November 3, 1879; Sess. Laws, 1879, p. 99.)

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SECTION 6. Section twenty-three of chapter three of said act shall be, and the same is, amended so as to read:

"SEC. 23. Every original contractor, within sixty days after the completion of his contract or other termination thereof, and every person, save the original contractor, claiming the benefit of this chapter, must, within sixty days after the completion of any building, improvement, or structure, or after the completion of the alteration or repair thereof, or after he has ceased to labor thereon from any cause, or after he has ceased to furnish materials therefor, or after the performance of any labor in a mine or mining-claim, file for record, with the county auditor of the county in which such property or some part thereof is situated, a claim containing a statement of his demand, after deducting all just credits and offsets, with the name of the owner, or reputed owner, if known, and also the name of the person by whom he was employed, or to whom he furnished the materials, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien sufficient for identification, which claim must be verified by the oath of himself or some other person, to the effect that the affiant believes the claim to be just".

WYOMING TERRITORY.

THE COMPILED LAWS, INCLUDING ALL LAWS IN FORCE AT CLOSE OF FOURTH LEGISLATIVE ASSEMBLY, 1876.

CHAP. LXXXV.—MINING RESOURCES.

AN ACT to provide for the development of the mining resources of the territory of Wyoming. (Approved December 16, 1871, p. 488.)

SECTION 1. Any person or persons who shall have performed work or made improvements or expenditures to the amount of one thousand dollars on any lead, lode, or ledge, the same shall not be subject to relocation under the laws of this territory: *Provided*, That such quartz-claim or claims shall not be abandoned, but shall be represented by the person or persons owning such claim or claims, or by his or their agent or attorney, who shall reside within the district in which such claim or claims may be situated, unless driven from said district by Indians.

SEC. 2. Any person or persons who shall defraud, cheat, or swindle any party or parties, by what is known as "salting", that is, by placing or causing to be placed in any placer or quartz claim, or dirt, gravel, or quartz contained therein, any gold, silver, or metals or minerals which would prove to be a misrepresentation, thereby working injury or loss to any party or parties, shall be deemed guilty of a felony, and, upon conviction thereof, shall be fined in any sum not to exceed five thousand dollars and not less than fifty dollars, together with the cost of prosecution, and may be imprisoned in the territorial penitentiary not more than three years nor less than thirty days, or both such fine and imprisonment.

SEC. 3. When parties owning in partnership any claim or claims, or any lead, lode, or ledge, and any one of the parties so owning shall fail to perform his or her portion of the work for the period of eight months, or pay the reasonable assessment for the same, when said claim is being worked in accordance with the expressed wish of a majority of the persons owning such claim, it may be sold to pay such assessment by the person or persons to whom such assessment may be due, by giving thirty days' notice, published in the nearest newspaper, and by posting notice for thirty days on such claims, giving the amount of assessment due, date of notice, and date of sale.

SEC. 4. The provisions of the foregoing section shall not apply to persons residing within the district in which his or her property is situated.

SEC. 5. Any property sold to pay assessments may be redeemed within the period of six months by the person or persons formerly owning such property, or by his or her agents, heirs, or attorneys, by paying the costs of advertising and sale together with the assessments due, and ten per cent. upon all purchase money for the same.

SEC. 6. All acts and parts of acts conflicting with this act be, and the same are hereby, repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

CHAP. XIII.—CIVIL CODE.

TITLE II.—*Time of commencing civil actions—actions for the recovery of real property.*

AN ACT to establish a Code of Civil Procedure for the territory of Wyoming, p. 34.

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SECTION 8. An action for the recovery of the title or possession of lands, tenements, or hereditaments can only be brought within twenty-one years after the cause of action shall have accrued.

SEC. 9. If a person entitled to commence any action for the recovery of the title or possession of any lands, tenements, or hereditaments be, at the time his or her right or title shall first descend or accrue, within the age of twenty-one years, a married woman, insane, or imprisoned, every such person may, after the expiration of twenty-one years from the time his or her right or title first descended or accrued, bring such action within ten years after such disability is removed, and at no time thereafter. An action for the forcible entry and detainer or forcible and unlawful detention only of real property can only be brought within two years after the cause of such action shall have accrued.

CHAP. XXXIV.—CORPORATIONS.

AN ACT to create and regulate corporations. (Approved December 10, 1869, p. 228.)

SECTION 1. At any time hereafter any three or more persons who may desire to form a company for the purpose of carrying on any kind of manufacturing, mining, chemical, merchandising, or mechanical business; construct wagon roads, railroads, telegraph lines, dig ditches, build flumes, run tunnels, or carry on any branch of business designed to aid in the industrial or productive interests of the country, may make, sign, and acknowledge, before some officer competent to take the acknowledgment of deeds, duplicate certificates in writing, in which shall be stated the corporate name of said company and the object for which the company shall be formed; the amount of capital stock of the said company; the term of its existence, not to exceed fifty years; the number of shares of which the said stock shall consist; the number of trustees, and their names, who shall manage the concerns of the said company for the first year, and the name of the town and county in which the operations of the said company shall be carried on, and shall file one of said certificates in the office of the county clerk of each county wherein the business of the company is to be carried on, and one thereof in the office of the secretary of the territory; the county clerk shall record said certificate in a book kept by him in his office for that purpose.

SEC. 2. When the certificate shall have been filed, as aforesaid, with the secretary of the territory, he shall record and carefully preserve the same in his office, and a copy thereof, duly certified by the secretary of the territory, under the great seal of the territory of Wyoming, shall be evidence of the existence of such company; and the persons who shall have signed and acknowledged the same, and their successors, shall be a body politic and corporate, in fact and in name, by the name stated in such certificate, and by that name have succession, and shall be capable of suing and being sued in any court of law or equity in this territory, and they and their successors may have a common seal, and may make or alter the same at pleasure, and they shall, by their corporate name, be capable in law of acquiring by purchase, pre-emption, donation, or otherwise, and holding or conveying by deed or otherwise, any real or personal estate whatever which may be necessary to enable the said company to carry on their operations named in the certificate.

SEC. 3. Any certificate hereafter filed and recorded under the provisions of this article may designate one or more places where the company may carry on its business.

SEC. 4. If any company shall be formed under this article for the purpose of carrying on any part of its business in any place outside of this territory, the certificate shall so state, and shall also state the name of the town and county in which the principal part of the business of said company within this territory is to be transacted, and said town and county shall be deemed the town, place, and county in which the operations and business of the company are to be carried on, and its principal place of business, within the meaning and provisions of this article.

SEC. 5. The stock, property, and concerns of such company shall be managed by not less than three nor more than nine trustees, who shall respectively be stockholders in said company, and who shall (except the first year) be annually elected by the stockholders, at such time and place as shall be directed by the by-laws of the company; and public notice of the time and place of holding such elections shall be published not less than ten days previous thereto in the newspaper printed nearest to the place where the operations of the said company shall be carried on, and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy, provided one-half the stock is represented; all elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in the said company, and the persons receiving the greatest number of votes shall be trustees; and when any vacancy shall happen among the trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year in such manner as shall be provided by the by-laws of the said company.

SEC. 6. In case it should happen at any time that an election of trustees shall not be made on the day designated

by the by-laws of said company, when it ought to have been made, the company for that reason shall not be dissolved, but it shall be lawful on any other day to hold an election for trustees, in such manner as shall be provided for by the said by-laws, and all acts of trustees shall be valid and binding as against such company until their successors shall be elected.

SEC. 7. There shall be a president of the company, who shall be designated from the number of trustees, and also such subordinate officers as the company by its by-laws may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their offices as the company by its by-laws may require.

SEC. 8. It shall be lawful for the trustees to call in and demand from the stockholders, respectively, all such sums of money by them subscribed, at such time and in such payments or installments as the trustees shall deem proper, not to exceed ten per cent. in any one month, under the penalty of forfeiting the shares of stock subscribed for, and for all previous payments made thereon, if payment shall not be made by the stockholders within sixty days after a personal demand, or notice requiring such payment shall have been published for six successive weeks in the newspaper nearest the place where the business of the company shall be carried on as aforesaid.

SEC. 9. The stockholders of such corporation, or the trustees, if the certificate of incorporation so provide, shall have power to make by-laws, as they shall deem proper, for the management and disposition of the stock and business affairs of such company, not inconsistent with the laws of this territory, and prescribing the duties of officers, artificers, and servants that may be employed, for the appointment of all officers, and for carrying on all kinds of business within the objects and purposes of such company.

SEC. 10. The stock of such company shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the company, but no shares shall be transferable until all previous calls thereon shall have been fully paid in or shall have been declared forfeited for the non-payment of calls thereon; and it shall not be lawful for such company to use any of their funds for the purchase of any stock in any other corporation, nor for the purchase of stock in their own company or corporation, in the corporate name, nor shall such company or corporation acquire or hold any stock or share therein, except such as may be forfeited for the non-payment of assessment thereon.

SEC. 11. The copy of any certificate of incorporation, filed and recorded in pursuance of this article, certified by the secretary of the territory, under the great seal of the territory of Wyoming, to be a true copy, and the whole of such certificate, shall be received in all courts and places as *prima-facie* evidence of the facts therein stated.

SEC. 12. All the stockholders of every company incorporated under the provisions of this article shall be, severally, individually liable to the creditors of the company in which they are stockholders to the amount of unpaid assessments on capital stock held by them, respectively, and to no other or further amount, for all debts and contracts made by such company, until the whole amount of assessments on capital stock, fixed and limited by the trustees, shall be paid in, and the assessment on capital stock, as fixed and limited by the trustees, shall all be paid in, ten per cent. thereof within one year, and the balance shall be payable in installments, as shall be required by the trustees, who shall give six weeks' notice, by publication, of the time and place for the payment of the same.

SEC. 13. The trustees of such company may purchase mines, manufactories, and other property necessary for their business, and issue stock to the amount of the value thereof in payment therefor, and the stock so issued shall be declared and taken to be full stock, and not liable to any further calls, neither shall the holders thereof be liable to any further payments under the provisions of the tenth section of this article, but in all statements and reports of the company this stock shall not be stated or reported as being issued for cash paid into the company, but shall be reported in this respect according to the facts.

SEC. 14. The president and a majority of the trustees, within thirty days after the payment of the last installment of the capital stock so fixed and limited by the company, shall make a certificate stating the amount of the capital so fixed and paid in, which certificate shall be signed and sworn to by the president and a majority of the trustees, and they shall, within the said thirty days, record the same in the office of the register of deeds of the county wherein the business of the said company is carried on.

SEC. 15. If the trustees of any such company shall declare and pay any dividend when the company is insolvent, or any dividend the payment of which would render it insolvent or which would diminish the amount of its capital stock, they shall be jointly and severally liable for all the debts of the company then existing and for all that shall be thereafter contracted while they shall respectively continue in office: *Provided*, That if any of the trustees shall object to the declaring of such dividend, or to the payment of the same, and shall, at any time before the time fixed for the payment thereof, file a certificate of their objection, in writing, with the clerk or secretary of the company and with the register of deeds within the county, they shall be exempt from the said liability.

SEC. 16. No person holding stock in any such company as executor, administrator, guardian, or trustee, and no such person holding such stock as collateral security, shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly, and the estate and funds in the hands of such executor, administrator, guardian, or trustees shall be liable in like manner and to the same extent as the testator or intestate, or the ward or person

interested in such trust fund, would have been if he had been living and competent to act, and held the same stock in his own name.

SEC. 17. Every such executor, administrator, guardian, or trustee shall represent the shares of stock in his hands at all meetings of the company, and may vote accordingly as a stockholder, and every person who shall pledge his stock as aforesaid may, nevertheless, represent the same at all such meetings, and may vote accordingly as a stockholder.

SEC. 18. The legislature may at any time alter, amend, or repeal this article, but such amendment or repeal shall not take away or impair any remedy given against or in favor of any such corporation, its stockholders, or officers for any liability which shall have been previously incurred.

SEC. 19. Any corporation or company heretofore formed, either by special act or under the general law, and now existing, or any company which may be formed under this article, may increase or diminish its capital stock, by complying with the provisions of this article, to any amount which may be deemed sufficient and proper for the purposes of the corporation, and may also extend its business to any other branch named in section one of this article, subject to the provisions and liabilities of this article. But before any corporation shall be entitled to diminish the amount of its capital stock, if the amount of its debts and liabilities shall exceed the amount of capital to which it is proposed to be reduced such amount of debts and liabilities shall be satisfied and reduced so as not to exceed such diminished amount of capital, and any existing company, heretofore formed under the general law or any special act, may come under and avail itself of the privileges and provisions of this article by complying with the following provisions, and thereupon such company, its officers, and stockholders shall be subject to all the restrictions, duties, and liabilities of this article.

SEC. 20. Whenever any company shall desire to call a meeting of stockholders for the purpose of availing itself of the privileges of this article, or for increasing or diminishing the amount of its capital stock, or for extending or changing its business, it shall be the duty of the trustees to publish a notice, signed by at least a majority of them, in a newspaper in the county wherein is situate the principal office of the company, if any shall be published therein, at least six successive weeks, and to deposit a written or printed copy thereof in the post-office, addressed to each stockholder at his usual place of residence, at least six weeks previous to the day fixed for holding such meeting, specifying the object of the meeting, the time and place when and where such meeting shall be held, and the amount to which it shall be proposed to increase or diminish the capital, and the business to which the company would be extended or changed; and a vote of at least two-thirds of all the shares of stock shall be necessary to an increase or diminution of the amount of its capital stock or the extension or change of its business as aforesaid, or to enable a company to avail itself of the provisions of this article.

SEC. 21. If, at any time and place specified in the notice provided for in the preceding sections of this article, stockholders shall appear, in person or by proxy, in number representing not less than two-thirds of all the shares of stock of the corporation, they shall organize by choosing one of the trustees chairman of the meeting, and also a suitable person for secretary, and proceed to a vote of those present, in person or by proxy, and if, on canvassing the votes, it shall appear that a sufficient number of the votes has been given in favor of increasing or diminishing the amount of capital, or of extending or changing its business as aforesaid, or for availing itself of the privileges and provisions of this article, a certificate of the proceedings, showing a compliance with the provisions of this article, the amount of capital actually paid in, the business to which it is extended or changed, the whole amount of debts and liabilities of the company, and the amount to which the capital stock shall be increased or diminished, shall be made out, signed, and verified by the affidavit of the chairman, and be countersigned by the secretary, and such certificate shall be acknowledged by the chairman, and filed and recorded as required by the first section of this article, and when so filed and recorded the capital stock of such corporation shall be increased or diminished to the amount specified in such certificate, and business extended or changed as aforesaid, and the company shall be entitled to the privileges and provisions and be subject to the liabilities of this article, as the case may be.

SEC. 22. If the indebtedness of any such company shall at any time exceed the amount of its capital stock, the trustees of such company assenting thereto shall be personally and individually liable for such excess to the creditors of such company.

SEC. 23. Whenever any person or persons owning fifteen per cent. of the capital stock of any company formed under the provisions of this article shall present a written request to the treasurer thereof, that they desire a statement of the affairs of such company, it shall be the duty of such treasurer to make a statement of the affairs of said company under oath, embracing a particular account of all its assets and liabilities in minute detail, and to deliver such statement to the persons who presented the said written request to said treasurer within twenty days after such presentation, and shall also, at the same time, place and keep on file in his office, for six months thereafter, a copy of such statement, which shall, at all times during business hours, be exhibited to any stockholder of said company demanding an examination thereof; such treasurer, however, shall not be required to deliver such statement in the manner aforesaid oftener than once in every six months. If such treasurer shall neglect or refuse to comply with any of the provisions of this article he shall forfeit and pay to the person presenting said written request the sum of fifty dollars, and the further sum of ten dollars for every twenty-four hours thereafter until such statement shall be furnished, to be sued for and recovered in any court having cognizance thereof.

SEC. 24. Any corporation or association of persons organized under this act now or hereafter engaged in mining gold or silver bearing quartz-rock, coal, lead, iron, copper, or other minerals, may construct or operate a railroad, tramway road, or wagon road from their said mine or mines to any point or points desired by them, and shall have the exclusive right of way to the line of their road over the unoccupied public domain for the space not exceeding one hundred feet on either side thereof, and also the exclusive possession at the termini of their said road, and at such intermediate points as may be required, for depots, buildings, turn-tables, water-tanks, machine-shops, and other necessary appurtenances of a railroad; and said corporation or association of persons may file a survey or diagram of such line of road, with the land claimed by them on either side thereof, and also the land claimed at the termini aforesaid, with the secretary of the territory, and it shall not be lawful for any person or persons to construct any road or erect any buildings or otherwise interfere with the possession of the land so indicated in the survey or diagram filed as aforesaid, and a certified copy of such survey under the seal of the territory shall be received in evidence in all courts of law or equity within this territory.

SEC. 25. When any three or more persons shall associate to form a company for the purpose of constructing a wagon road under the provisions of this article, their certificate of incorporation, in addition to the matters hereinbefore required to be stated therein, shall specify the termini of said road and the route of the same, as near as may be; and the said company shall have the right of way over the line named in the certificate, to erect toll-gates, not to exceed one to every ten miles of road, and to collect toll thereat at the rates prescribed by the county commissioners, or the tribunal transacting county business, upon the application of such corporation, either at or before the time of commencing such road or after completion thereof: *Provided*, That such rates of toll shall remain in force and may be collected from persons travelling such road for two years after the time of completing such road; and thereafter, at the expiration of every two years, the county commissioners, or tribunal transacting county business, in each county through which such road passes shall fix and regulate such rates of toll, but not at higher rates than those originally prescribed: *And provided further*, That nothing in this article shall be so construed as to authorize any corporation formed under the provisions hereof to locate their road, railroad, ditch, or flume, or any part thereof, upon any toll-road previously existing, nor upon any public highway heretofore, and at the time of the organization of such corporation, used and traveled as such, except it may be necessary to cross such toll-road or public highway; all such rates of toll shall be conspicuously posted at every gate upon such road.

SEC. 26. No company formed under this article shall demand and receive toll whenever said wagon road is not in reasonably good repair, and any person having paid toll on said road, who shall find the same in bad condition and unsafe to travel with loaded teams, shall have the right to make complaint before any justice of the peace in the county in which the road is located, and it shall be the duty of said justice of the peace to summon the said company, or any agent of the said company, to appear before him to answer in said complaint, within not over five days from the date of said complaint; and if it be found that said road is in bad condition, or unsafe to travel, it shall be the duty of said justice to impose a fine of not less than ten dollars nor more than twenty-five dollars, to be collected from said company, and said justice shall issue his order that no toll be collected upon said road, or any part thereof, until it is put in good repair.

SEC. 27. Any person, after toll shall have been demanded by the regularly-authorized toll-collector, who may be found traveling upon said road and refusing to pay said toll shall be subject to a fine of not less than five dollars nor more than ten dollars for such offense, the same to be collected before any justice of the peace in the county wherein such road is located.

SEC. 28. Whenever any three or more persons associate under the provisions of this article to form a company for the purpose of constructing a ditch for the purpose of conveying water to any mines, mills, or lands, to be used for mining, milling, or irrigating of lands, they shall, in their certificate, in addition to the matters required in section one of this article, specify as follows: The stream or streams from which the water is to be taken; the point or place on said stream at or near which the water is to be taken out; the line of said ditch, as near as may be, and the use to which said water is intended to be applied.

SEC. 29. Any ditch company formed under the provisions of this article shall have the right of way over the line named in the certificate, and shall also have the right to run the water of the stream or streams named in the certificate through their ditch: *Provided*, That the line proposed shall not interfere with any other ditch whose rights are prior to those acquired under this article and by virtue of said certificate. Nor shall the water of any stream be directed from its original channel to the detriment of any miners, mill-men, or others along the line of said stream, who may have a priority of right, and there shall be at all times left sufficient water in said stream for the use of miners and agriculturists who may have a prior right to such water along said stream.

SEC. 30. Any company constructing a ditch under the provisions of this article shall furnish water to the class of persons using water in the way named in the certificate as the way the water is designated to be used, whether miners, mill-men, or farmers, whenever they shall have water in their ditch unsold, and shall at all times give the preference to the use of the water in said ditch to the class of persons so named in the certificate, the rates at which water shall be furnished to be fixed by the county commissioners, or the tribunal transacting county business, as soon as such ditch shall be completed and prepared to furnish water.

SEC. 31. Every ditch company organized under the provisions of this article shall be required to keep the bank of their ditch in good condition, so that the water shall not be allowed to escape from the same to the injury of any mining-claim, road, ditch, or other property located and held prior to the location of such ditch, and, whenever it is necessary to convey any ditch over or across or above any lode or mining-claim, that the company shall, if necessary to keep the water of said out or from any claim, flume the ditch so far as necessary to protect such claim or property from the water of said ditch: *Provided*, That in all cases where the ditch has priority of right by location, the owners of such claim or property shall be compelled to protect themselves from any damages that might be created by said ditch, and the owner of such claim shall be liable for any damages resulting to said ditch by reason of the works or operations performed on such claim or property.

SEC. 32. When any company shall organize under the provisions of this article to form a company for the purpose of constructing a flume, their certificate, in addition to the matters required in the first section of this article, shall specify as follows: The place of beginning, the termini, and the route, so near as may be, and the purpose for which such flume is intended, and, when organized according to the provisions of this article, said company shall have the right of way over the line proposed in such certificate for such flume: *Provided*, It does not conflict with the right of any farmer, fluming, ditching, or other company.

SEC. 33. When any three or more persons shall associate under the provisions of this article to form a company for the purpose of constructing a bridge or establishing a ferry over any of the streams of water in this territory, their certificate, in addition to the matters required in the first section of this article, shall specify as follows: The place where said bridge or ferry is to be built or established, and on what streams, and that the banks on both sides of the stream where the said bridge or ferry is to be built or established are owned by said company, or that they have obtained, in writing, the consent of the owners of the banks where the said bridge is to be built to erect the said bridge or establish the said ferry as aforesaid.

SEC. 34. Any bridge built or established under the provisions of this article shall at all times be kept in good and safe condition for travel, both night and day, unless the same be rendered impassable by reason of flood or high water; and any bridge or ferry so built or established shall, if destroyed by flood, fire, or other causes, be rebuilt or established within a period of nine months from such destruction, or the rights acquired under this article shall be forfeited and cease to exist.

SEC. 35. The company, previous to receiving any toll upon said bridge or ferry, shall set up and keep, in a conspicuous place on the said bridge or ferry, a board, on which shall be written, painted, or printed, in a plain, legible manner, the rates of toll, which rates of toll shall have been prescribed by the county commissioners, or the tribunal transacting county business in said county; and if any company shall demand or receive any greater rate of toll than the rate prescribed by said tribunal, then they shall be subject to a fine of ten dollars; and no company formed under the provisions of this article shall demand or receive tolls whenever said bridge or ferry is not in a good and safe condition for travel, and any person having paid toll on such bridge or ferry, and finding the same in a bad or unsafe condition for loaded teams, shall have the right to make complaint before any justice of the peace in the county in which the bridge or ferry is located, who shall proceed as is provided in section twenty-six of this article.

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SEC. 38. Whenever any three or more persons associate under the provisions of this article to form a company for the purpose of constructing a line or lines of magnetic telegraph in this territory, their certificate shall specify as follows: The termini of such line or lines, and the counties through which they shall pass; and such corporation is hereby authorized to construct said telegraph line or lines from point to point along and upon any of the public roads, by the erection of the necessary fixtures, including posts, piers, and abutments necessary for the wires: *Provided*, That the same shall not incommode the public in the use of said roads or highways.

SEC. 39. Any company formed under the provisions of this act for the purpose of constructing any road, ditch, flume, bridge, ferry, or telegraph line shall, within ninety days from the date of their certificate, commence work on such road, ditch, flume, bridge, ferry, or telegraph line as shall be named in the certificate, and shall prosecute the work with due diligence until the same is completed; and the time of the completion of any such road, ditch, bridge, ferry, or telegraph line shall not be extended beyond a period of two years from the time work was commenced, as aforesaid; and any company failing to commence work within ninety days from the date of certificate, or failing to complete the same within two years from the time of commencement as aforesaid, shall forfeit all right to the route so claimed, and the same shall be subject to be claimed by any other company; the time for the completion of any flume constructed under the provisions of this act shall not be extended beyond a period of four years: *Provided*, That this section shall not apply to any ditch or flume for mining purposes constructed through any grounds owned by the corporation.

SEC. 40. Every corporation, under the provision of this act, as such, has power:

First. To have succession by its corporate name for the period limited in its certificate of charter.

Second. To sue and be sued, complain and defend, in any court of law or equity.

Third. To make and use a common seal, and alter the same at pleasure.

Fourth. To hold, purchase, and convey such real and personal estate as the purpose of the corporation may require.

Fifth. To appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation.

Sixth. To make by-laws, not inconsistent with any existing law, for the management of its property, the regulation of its affairs, and for the transfer of its stock.

SEC. 41. The powers enumerated in the preceding section shall vest in every corporation that shall hereafter be created, although they may not be specified in the certificate or in the act under which it shall be incorporated; but no corporation shall possess or exercise any corporate powers except such as shall be necessary to the exercise of the powers so enumerated.

SEC. 42. Any person who shall willfully or maliciously damage or interfere with any road, ditch, flume, bridge, ferry, railroad, telegraph line, or any of the fixtures, tools, implements, appurtenances, or any property of any company which may be organized under the provisions of this article, upon conviction thereof before any court of competent jurisdiction in the county where the offense shall have been committed shall be deemed guilty of a misdemeanor, and shall be punished by fine or imprisonment, or both, at the discretion of the court, said imprisonment not to exceed one year, and said fine not to exceed five hundred dollars, which shall be paid into the county treasury for the use of common schools, and said offender shall also pay all damages that any such corporation may sustain, together with costs of suit.

SEC. 43. Nothing in this act shall be so construed as to authorize any company organized under the same to issue notes or bills for circulation as money.

SEC. 44. Any company organized under and by virtue of any act of the territory of Dakota, or any association of individuals acting as bodies corporate, may surrender their certificates or articles of association to the secretary of the territory, and become a body corporate and politic under the provisions of this article by complying with all and singular the provisions thereof.

SEC. 45. Whenever any road, railroad, ditch, telegraph, or fluming company, organized or to be organized under the provisions of this chapter or any law of this territory, shall not have acquired, by gift or purchase, any land, real estate, or claim required for the construction or maintenance of their road, railroad, ditch, telegraph, or flume, or which may be affected by any operation connected with the construction or maintenance of the same, the said corporation may present to the district judge of the judicial district wherein such lands, real estate, or claim shall be, a petition, signed by the president, attorney, or agent of the same, describing, with convenient accuracy and certainty, by map or otherwise, the lands, real estate, or claims so required to be taken, or affected as aforesaid, setting forth the name and residence of each owner or other person interested therein as owner, lessee, or incumbrancer, as far as known to such president, attorney, or agent, or appearing of record, and praying the appointment of three appraisers to ascertain the compensation to be made to such owner and persons interested for the taking or injuriously affecting such lands, real estate, or claims as aforesaid; the said district judge shall have satisfactory evidence that notice of an intended application, and the time and place thereof, for the appointment of appraisers between said corporation and the owners and persons interested in such lands, real estate, and claims, has been given, at least ten days previously, to such owners personally, at their residence or on the premises, or by publication thereof in a newspaper printed in the county in which such lands, real estate, or claims shall lie, or if no newspaper is published in said county, then by posting three or more notices in some public places in said county, such publication to be allowed only in respect to owners or persons interested who shall appear, by affidavit, to have no residence in the county known to such president, attorney, or agent, which notice shall be published at least thirty days prior to the time fixed for the application as aforesaid. The court or judge may adjourn the proceedings from time to time, shall direct any future notice thereof to be given that may seem proper, shall have proofs and allegations of all parties interested touching the regularity of the proceedings, and shall, by an entry in its minutes, appoint three disinterested appraisers as aforesaid, specifying in such entry a time and place for the first meeting of such appraisers. The said appraisers, before entering upon the duties of their office, shall take an oath to faithfully and impartially discharge their duties as said appraisers, and any one of them may administer oaths to witnesses produced before them; they may issue subpœnas and compel witnesses to attend and testify, and may adjourn and hold meetings for that purpose, and shall give reasonable previous notice to such owners or parties interested. They shall hear the proofs and allegations of the parties, and any two of them, after reviewing the premises, shall, without fear, favor, or partiality, ascertain and certify the compensation proper to be made to said owners or parties interested for the lands, real estate, or claims to be taken or affected, as well as all damages accruing to the owners or parties interested in consequence of the condemnation of the same, taken or injuriously affected as aforesaid, making such deduction or allowance for real benefits or advantages which such owners or parties interested may derive from the construction of said road, railroad, ditch, telegraph, or flume. They, or a majority of them, shall make, subscribe, and file with the register of deeds of the county in which such real estate or lands shall lie, a certificate of their said ascertainment and assessment, in which such lands, real estate, or claims shall be described with convenient certainty and accuracy. The district judge, upon such certificate and due proof that such compensation and separate sums, if any be certified, have been paid to the parties entitled to the same, or have been deposited to the credit of such parties in the county treasury, or other place for that purpose approved by the court, shall make and cause to be entered in the minutes a rule describing such lands, real estate, or claims, in

manner aforesaid, such ascertainment of compensation, with the mode of making it, and each payment or deposit of the compensation as aforesaid, a certified copy of which shall be recorded and indexed in the register of deeds' office of the proper county in like manner and with like effect as if it were a deed of conveyance from the said owners and parties interested to the said corporation. Upon the entry of such rule the said corporation shall become seized in fee, or shall have the exclusive right, title, and possession of all such lands, real estate, or claims described in said rule, as required to be taken as aforesaid, during the continuance of the corporation, and may take possession of and hold and use the same for the purposes of the said road, railroad, ditch, telegraph, or flume, and shall thereupon be discharged from all claims for any damages by reason of any matter specified in such petition, certificate, or rule of said district judge. . If at any time after an attempted or actual ascertainment of compensation under this article, or any purchase by or donation to said corporation of lands or claims for purchases aforesaid, it shall appear that the title acquired thereby to all or any part of such lands for the use of said corporation, or if said assessment shall fail or be deemed defective, the said corporation may proceed and perfect such title by procuring an ascertainment of the compensation proper to be made to any person who has title, claim, or interest in or lien upon such lands, and by making payment thereof in the manner hereinafter provided, as near as may be, and at any stage of such new proceeding, or of any proceeding under this act, the district judge may, by rule in that behalf made, authorize the said corporation, if already in possession, and, if not in possession, to take possession of and use said premises during the pendency and until the final conclusion of such proceedings, and may stay all actions and proceedings against such corporation on account thereof: *Provided*, Such corporation shall pay a sufficient sum into court or give approved security to pay the compensation in that behalf when ascertained, and, in every case where possession shall be so authorized, it shall be lawful for the owners to conduct the proceedings to a conclusion if the same shall be delayed by the company. The said appraisers shall receive five dollars per day as compensation for each day actually employed, such compensation to be taxed and allowed by the district judge. If any appraiser so appointed shall die, be unable, or fail to serve, the court may appoint another in his place, on reasonable notice of the application, to be approved by the district judge.

SEC. 46. Whenever any corporation constituted or formed for the purpose of constructing a wagon road, according to the provisions of this article, shall have constructed one mile or more of the road by such corporation to be constructed, it shall be lawful for the county commissioners, or the tribunal transacting county business, of the county in which the portion of the road so constructed shall lie, to prescribe the rate of toll to be charged and collected by such corporation upon the portion of the road so constructed; and thereafter, and as other portions of the road to be constructed by such corporation shall be completed, such county commissioners, or tribunal transacting county business, shall prescribe rates of toll to be charged and collected upon other portions of the road so completed as aforesaid; and such corporation shall have power to erect toll-gates, not exceeding one to every ten miles, and to collect tolls thereat, at the rates prescribed as aforesaid, until such road be completed: *Provided*, Said road shall be completed within two years after such rates shall have been prescribed.

SEC. 47. Whenever any corporate body organized under this article shall have fully completed the wagon road to be by them constructed, and the county commissioners, or tribunal transacting county business, of the county in which the same shall be located, shall have prescribed the rates of toll to be charged and collected upon such road, such corporation shall be entitled to charge and collect toll at the rates so prescribed for two years thence next ensuing; and at the expiration of the term of two years after such rates shall be prescribed, and biennially thereafter during the existence of such corporation, the county commissioners, or tribunal transacting county business, shall prescribe the rates of toll to be charged and collected on such road for the two years thence next ensuing.

SEC. 48. Whenever any wagon road constructed by any corporation organized under this article shall be located in two or more counties, it shall be lawful for the county commissioners, or tribunal transacting county business, of the several counties into or through which such road shall pass, to prescribe the rates of toll to be charged and collected by such corporation on the portions or parts of such road lying within the limits of such counties, respectively.

SEC. 49. Upon a suit in equity being commenced by any creditor of a domestic corporation, or a foreign corporation doing business in this territory, against said corporation, or any of the directors or officers or agents thereof, in any court of competent jurisdiction of this territory, said court, or a judge thereof, shall have power to restrain, by injunction, such corporation, its directors, or officers, or agents from assuming or exercising any franchise, liberty, or privilege, or transacting any business not allowed by the charter or act of incorporation, and in the same manner to restrain any individual from exercising any corporate rights, privileges, or franchises not granted to them by law.

SEC. 50. Such injunction may be issued before the coming in of the answer, upon satisfactory proof that the defendants complained of have usurped, exercised, or claimed any franchise, privilege, or liberty, or corporate right not granted to them, or have been guilty of wasting or appropriating to themselves the funds of such corporation committed to their charge, and after the coming in of the answer, such injunction may be continued until a decree final shall be had.

NOTE.—The last two preceding sections, together with the remainder of article 1, were repealed by act of Congress approved July 1, 1870; also sections four and six of chapter 24, relating to the collection of taxes from corporations.

ART. IV.—*Foreign corporations.* (Comp. Laws, p. 245.)

SECTION 1. Every incorporated company incorporated under the laws of any foreign state or kingdom, or of any state or territory of the United States beyond the limits of this territory, and now or hereafter doing business within this territory, shall, within thirty days after commencing so to do business, file, in office of the register of deeds of the county within which its business is conducted, a copy of its charter of incorporation; or in case such company is incorporated by certificate under any general incorporation law, a copy of such certificate and of such general incorporation law, duly certified and authenticated by the proper authority of such foreign state, kingdom, or territory.

SEC. 2. A failure to comply with the provisions of this article shall render each and every officer, agent, and stockholder of any such corporation so failing herein, jointly and severally, personally liable on any and all contracts of such company made or to be performed within this territory.

SEC. 3. The several certificates, statutes, and charters mentioned in section first of this article shall be by the register of deeds filed and preserved in his office as a part of the records thereof, and he shall be entitled to receive a fee of one dollar for receiving and filing every such certificate and statute. Copies of such charters, statutes, and certificates, duly certified by such register of deeds under his seal of office, shall be received in all courts of this territory as sufficient evidence of the existence and corporate character of such incorporations, and of all their powers, duties, and liabilities, and the originals thereof may in like manner be used in evidence of these matters with like effect.

ART. V.—*Of the dissolution of corporations.*

SECTION 1. Upon dissolution, by expiration of its charter or otherwise, of any corporation now existing, or which hereafter may be formed, unless some other person or persons be appointed, by the legislature or some court of competent jurisdiction, the board of trustees or directors of such corporation, or the managers of the corporate affairs, by whatever name known, acting last before the time of their dissolution, and the survivors of them, shall be the trustees of the creditors and stockholders of the corporation dissolved, and shall have full power to settle the affairs of the same, to sue for and collect the debts and moneys due the corporation, or to compound and settle the same as they may deem best; to have, hold, reserve, sell, and dispose of property, real and personal, of every such corporation dissolved, to adjust and pay all the debts of the corporation dissolved, to divide the residue of the moneys and property belonging to the corporation dissolved, after payment of debts and the necessary and reasonable expenses, among the stockholders holding stock in such corporation, in proportion to the amount of stock of each stockholder paid up; all such trustees shall be jointly and severally liable to the creditors and stockholders of such corporation dissolved to the extent of the property and effects which shall come into their hands and possession, or into the hands or possession of any of them.

SEC. 2. The title to all real and personal estate belonging to any such corporation shall, immediately upon the dissolution thereof, unless by a decree of a court of competent jurisdiction declaring such dissolution is it otherwise ordered, pass to and rest in such trustees, directors, or other managers, and an action at law may be maintained by such trustees or directors, or the survivors of them, in their own names, by the style of the trustees of such corporation dissolved, naming it, for the recovery of all such property, or of any damage done to the same, or for the recovery of any debts due such corporation dissolved.

SEC. 3. No suit or action at law or in chancery, whereto any corporation is or may be a party, shall abate by reason of the dissolution of such corporation, by expiration of its charter of incorporation or otherwise; but the trustees or directors of such corporation, acting as trustees to the stockholders and creditors, after the dissolution, as herein provided, or the survivors of them, or the trustee or trustees, receiver or receivers, appointed by the decree of any court of competent jurisdiction, may prosecute or defend such suit or action in the name of the corporation dissolved, notwithstanding the dissolution.

SEC. 4. Any corporation dissolved may, notwithstanding such dissolution, prosecute an action at law in the corporate name for the use of the person entitled to receive the proceeds of such suit upon any cause of action accrued, or which, but for such dissolution, would have accrued to such corporation, and in the same manner and with like effect as if such corporation were not dissolved.

SEC. 5. The lien of a judgment or execution at law, or a decree of a court of equity, in favor of or against any corporation, shall not be dissolved or suspended by reason of the dissolution of such corporation subsequent to the rendition of such judgment or the entry of such decree or the issuing of such execution, but execution may be had thereof in the same manner as if such dissolution had not occurred.

SEC. 6. No execution shall issue upon judgment at law rendered against any corporation subsequent to the dissolution of such corporation, but the same, with the costs thereof, shall be paid by the trustees as other debts.

SEC. 7. Nothing in this article contained shall be construed to impair the jurisdiction of the court of chancery to decree the dissolution of any corporation, or to appoint a receiver or receivers, trustee or trustees, to settle the affairs of any corporation dissolved by lapse of time or otherwise, and all trustees or managers of any corporation,

acting as the trustees of the stockholders and creditors thereof, after the dissolution of the corporation, shall in all things be subject to the control of the court of chancery; may be required to give bond, with security to be approved by the court, upon petition of any stockholder or creditor of the corporation dissolved, conditioned for the due discharge of their trust; may be required to account for the proceeds of the property and effects of the corporation, and for any failure to give such bond or render such account, or for any default or neglect of duty, they, or any of them, may be removed by the court, and a successor or successors appointed.

SEC. 8. This act shall be deemed a public act, and shall take effect from and after its passage.

NOTE.—Approved 10th December, 1869 (Comp. Laws, p. 246).

CHAP. LXXVII.—LIENS.

AN ACT giving liens to miners and other laborers in mines, coal-banks, and upon oil-lands. (Approved December 2, 1869; Comp. Laws, p. 464.)

SECTION 1. That every miner or other person who, at the request of the owner of any ledge or lode of quartz-bearing gold, silver, cinnabar, or copper, or of any coal-bank or mine, shall work in or upon such mine or bank, shall have a lien upon such vein or lode, mine or bank, to the amount due at any time when a demand shall be made upon such owner, or his or their agent, for money due for such labor, and payment shall be refused.

SEC. 2. That any person who shall labor as a mechanic or otherwise, or who shall furnish timber, lumber, rope, nails, or any other material for timbering shafts [or] levels for the mine, or who shall furnish any kind of materials for erecting windlass, whim, or other hoisting apparatus upon any vein, mine, or coal-bank, referred to in the first section, shall also have a lien upon the mine or coal-bank for which he furnished such materials or upon which he performed such labor.

SEC. 3. The party seeking a lien shall proceed, so far as the proceedings are applicable, in the same manner to enforce a lien as by law required in the case of mechanics and other persons seeking to enforce a lien upon dwelling houses and other buildings, except when other provisions are made by this act.

SEC. 4. When any sum exceeding ten dollars, for labor performed by any miner or other person upon or in any mine or coal-bank specified in section one of this act, shall be due and unpaid for ten days, it shall be competent for the person or persons to whom such sum of money shall be due to file a notice in the office of [the] county recorder in the county where such mine is situated, at any time within thirty days after the last day upon which work was done by him; which said notice shall in substance set forth the fact that the party performed labor (naming the kind) for a party or company (naming the party or company); that such labor was performed under a contract (stating the substance); also the time when the party commenced and when he ceased to work, the amount still due and unpaid, together with a description of the mine or coal-bank upon which such work was performed; which statement shall be verified by the affidavit of the party so filing it, and, when filed, the county recorder shall record the same in a "lien-book", the same as required in the case of mechanics' notices of liens.

SEC. 5. The provisions of the next preceding section shall apply to persons who shall furnish materials or work upon any shaft, whim, or other hoisting works, who, by complying with the general provisions of such section, shall have a like lien.

SEC. 6. When notices, as provided in the next two preceding sections, shall be filed, the lien shall hold not only against the owner of the mine or bank from the time when the miner or other person began work, but against all persons or company who shall have purchased such mine or coal-bank while such miner or other person was employed therein, or furnished materials used therein or thereon.

SEC. 7. Suit to enforce such lien may be commenced at any time within one year after filing such notice.

SEC. 8. Any owner of any oil well or spring, who shall employ any person to perform any work of any kind around or about any oil well or spring, either in building derricks, buildings, or any kind of machinery, or in boring or drilling, shall be deemed within the provisions of this act; and all persons performing labor or furnishing materials shall have like liens upon oil territory upon which he labored or for which he furnished materials or the improvements thereon, as miners or other laborers upon or in mines as provided in this act, and shall proceed in the same manner to enforce a lien.

SEC. 9. This act shall take effect and be in force from and after its passage.

AN ACT to create a lien for miners and laborers in certain cases, and for other purposes. (Approved 16th December, 1871; Comp. Laws, p. 466.)

SECTION 1. That every miner or other person who, at the request of the owner or owners, or his or their agent, of any lode, lead, or ledge of quartz-bearing gold, silver, cinnabar, or copper, or of any coal-bank or mine, shall perform any labor or furnish any timber, rope, nails, or any other material for timbering shafts or levels for the mine, or who shall furnish any kind of material for erecting windlass, whims, or any other hoisting apparatus or machinery, shall have a lien upon such lode, ledge, lead, mine, or bank to secure the payment of the same.

SEC. 2. Every miner or other person doing or performing any work or furnishing any material, as specified in

section one of this act, under a contract or agreement, express or implied, between the owner or owners thereof, or his or their agent, whether such work shall be performed or material furnished as miner, laborer, subcontractor, or otherwise, whose demand for work so done or material so furnished has not been paid, may deliver to the owner or owners of such mine, or his or their agent, an attested account of the amount and value of the work and labor thus performed or the material thus furnished, and remaining unpaid, and thereupon such owner or owners, or his or their agent, shall retain, out of his subsequent payments to the contractors, the amount of such work and labor or material furnished, for the benefit of the person so performing or furnishing the same.

SEC. 3. Whenever any account of labor performed or material furnished, as referred to in the preceding section, shall be placed in the hands of the owner or owners of any mine, or his or their agent, as above stated, it shall be the duty of such owner or owners, or his or their agent, to furnish his or their contractor with a copy of such papers, so that, if there be any disagreement between such contractor and his creditor, they may, by amicable adjustment or by arbitration, ascertain the true sum due, and if the contractor shall not, within ten days after the receipt of such papers, give the owner or owners, or his or their agent, written notice that he intends to dispute the claim, or if ten days after giving notice he shall refuse or neglect to have the matter adjusted, as aforesaid, he shall be considered as assenting to the demand, and the owner or owners, or his or their agent, shall be justified in paying the same when it becomes due.

SEC. 4. The amount which may be due from any contractor to his creditor may be recovered from said owner or owners, or his or their agent, by the creditor of said contractor, in an action at law, to the extent in value of any balance due by the owner or owners, or his or their agent, to his or their contractor, under the contract with him at the time of the notice first given as aforesaid, or subsequently, according to such contract [or] under the same.

SEC. 5. Any person entitled to a lien under this act shall make an account in writing of the items of labor, skill, machinery, and material furnished, or either of them, as the case may be; and, after making oath thereto, shall, within sixty days from the time of completing such labor and skill, or furnishing the last item of such machinery and material, file the same in the office of the register of deeds of the county in which the ledge, lead, or lode or bank may be situated for which such labor, skill, machinery, or materials shall have been furnished, and shall also file, at the same time, a correct description of the property to be charged with said lien, which account and description of said property, so made and filed, shall be recorded in a separate book, to be provided for that purpose, and shall, for the time of the completion of the work or furnishing material, and for one year thereafter, operate as a lien on the several descriptions of ledges, leads, lodes, mines, or banks in the first section of this act named; when any labor has been done or labor furnished on a written contract, the same, or a copy thereof, shall be filed with the account herein required to be filed: *Provided*, That all lien-claims for labor performed or material furnished shall be concurrent liens upon the same, and shall be paid *pro rata* out of the proceeds arising from the sale thereof, if the same shall be sold.

SEC. 6. Every person holding such lien may proceed to obtain a judgment for the amount of his account thereon by civil action, and when any suit or suits shall be commenced on such accounts within the time of such lien, the lien shall continue until such suit or suits be finally determined and satisfied; and, in all actions instituted under this act, all persons claiming liens upon the property sought to be affected shall be made parties to such action or proceeding, and the rights of all parties to such action shall be determined by the court, and such order made therein as shall preserve and protect the rights of all such parties under the provisions of this act.

SEC. 7. The county register of deeds, for filing and recording all papers under this act, shall be paid the same fees as are or hereafter may be allowed by law for filing and recording deeds.

SEC. 8. When any person who shall have filed his account and perfected his lien, pursuant to the provisions of this act, shall have received satisfaction for his claim and the legal costs of his proceedings therein, he shall, upon the request of any person interested, and within six days, enter satisfaction of his lien in the office where such account and lien is of record, which shall forever thereafter discharge, defeat, and release the same.

SEC. 9. If any person having received satisfaction, as specified in the preceding section, or having been tendered the amount due on his claim with legal costs, shall not, within six days after request, enter satisfaction as aforesaid, he shall forfeit and pay to the person aggrieved double the amount of damages which may have been sustained in consequence of such refusal or neglect.

SEC. 10. The provisions of this act shall apply to oil wells or springs and iron mines, so far as the same may be applicable, and to all mines not herein specified within this territory.

SEC. 11. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

CHAP. XLVIII.—EXEMPTION.

AN ACT exempting certain property from sale upon execution or other process. (Approved December 1, 1871; Comp. Laws, p. 340.)

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SECTION 4. The tools, team, and implements, or stock in trade of any mechanic, miner, or other person, used and kept for the purpose of carrying on his trade or business, not exceeding in value three hundred dollars, * * *

shall be exempt from levy or sale upon execution, writ of attachment, or any process issuing out of any court in this territory. The value of any property claimed to be exempt under this section shall be determined in all respects and the fees shall be the same as specified in section two of this act: *Provided*, That no article of property in this and the preceding sections of this act mentioned shall be exempt from attachment or sale upon execution for the purchase money of said article of property: *And provided further*, That the person or persons claiming such exemption shall be a *bona fide* resident of this territory.

In section *two* "the value of the property selected by any debtor to be ascertained by the appraisement of three disinterested householders, to be selected and summoned by the officer claiming to levy upon, attach, or sell such property; the appraisers shall be sworn by the officer to make a true appraisement of the value of such property, and shall be entitled to receive one dollar each for their services, and the officer levying upon or attaching such property shall receive two dollars for all services in determining the property exempt and the value thereof, the fees of the officer and appraisers to be paid by the party for whose benefit the process may have [been] issued, and to be taxed as costs in the cause in which such process issued".

SESSION LAWS OF 1877, 1879.

ASSAY.

AN ACT to establish an assay office in Wyoming territory. (Approved December 12, 1877; Sess. Laws, 1877, p. 8.)

SECTION 1. There shall be established a territorial assay office in the territory of Wyoming, at Rawlins, in the county of Carbon.

SEC. 2. There is hereby appropriated by the territory of Wyoming the sum of six hundred dollars per annum, payable quarterly out of the territorial treasury, each quarterly payment to be made at the end of the quarter for which it is due, and the territorial auditor is hereby authorized to draw a warrant upon the treasurer of the territory for the said payments, in favor of the assayer, upon the application of the assayer, accompanied by a certificate from the secretary of the territory that his bond has been approved, and upon satisfactory proof to the auditor that such payment is due; and the territorial treasurer is hereby authorized to pay such warrants out of any money in the treasury not otherwise appropriated.

SEC. 3. The territoral assayer shall be appointed by the governor, by and with the consent of the council, and shall hold his office during good behavior and until removed for misconduct or neglect of duty; and he shall give a bond to the territory, with two or more sufficient sureties, in the sum of two thousand dollars, to be approved by the secretary of the territory, conditioned for the faithful discharge of his duties; and in case said territorial assayer shall fail to perform his duties, as hereinafter provided, he may be removed by the governor of the territory, and his successor shall be appointed by the governor.

SEC. 4. The territorial assayer shall provide a seal, bearing the name of "Wyoming Assay Office", and the name of the town in which said office is located, which seal shall be kept in the office and used by him expressly for the use of such office.

SEC. 5. It shall be the duty of said assayer to make assays of all minerals, from any portion of the territory of Wyoming, presented to him for assay, provided such specimens of ore be accompanied by the proper certificate. Any person presenting ore for assay shall have said ore, when presented, accompanied by an affidavit, taken before such assayer, who is hereby authorized to take such affidavit, or before some person authorized by law to take affidavits, stating the location of the lode and depth of shaft, which certificates or affidavits shall be kept and preserved by the assayer and turned over by him to his successor. The assayer making such assays shall be entitled to receive the sum of one dollar for each and every assay for gold and silver, and three dollars each for each and every assay made for any other metal, giving a certificate for each assay so made bearing the seal of his office, signed by himself, said fees to be paid by the person for whom such assay shall be made. The territorial assayer shall charge three dollars for all assays not accompanied with the required certificate and affidavits.

NOTE.—Sec. 5 amended by act approved December 13, 1879 (Sess. Laws, 1879, p. 12).

SEC. 6. It shall be the duty of the territorial assayer to keep a book, with proper index, alphabetically arranged, in which he shall record all assays made by him, giving the name of the person presenting, name of the lode and where situated from which the ore was taken, the kind of mineral, gold, silver, copper, etc., whether sulphuret, etc., and the amount such ore assays to the ton; access to said books to be had by the public during business hours; and any mutilation or changing of the records on said book shall be punishable by a fine of not less than one hundred dollars, or by imprisonment not less than three months in the county jail, or both.

SEC. 7. It shall be the duty of said assayer to furnish any owner of any mine within the territory of Wyoming, which has been developed so far as to show the existence of gold, silver, copper, or lead-bearing ores therein, under his hand and seal of his office, any information touching the richness of the ore in said mine, provided ore from said mine has been assayed by him; and for the same he shall be entitled to receive from the applicant the sum of five dollars for each abstract of assay so made.

SEC. 8. It shall be the duty of said assayer to make a report annually, under his hand and seal of his office, of all assays and examinations made during the year to the governor of the territory, who shall report the same to the legislature of the territory.

SEC. 9. There is hereby appropriated out of the territorial treasury the sum of one thousand dollars, which sum shall be expended by the said assayer, under the direction of the governor of the territory, for procuring and fitting up a suitable room, and in the purchase of furnaces, apparatus, permanent fixtures, books, papers, seal, and records, which shall thereafter be the property of the territory, and shall be turned over by each assayer to his successor in office, and the successor in office shall give his predecessor a receipt for the same, and also report immediately to the governor, stating what he has received.

SEC. 10. This act shall take effect and be in force on and after its passage and approval.

CHAP. V.—ASSAY OFFICE.

AN ACT to amend an act entitled "An act to establish an assay office in Wyoming territory". (Approved December 13, 1879; Sess. Laws, 1879, p. 12.)

SECTION 1. That section five of the above-entitled act be amended by striking out the words "three dollars" where they appear in the fourteenth and nineteenth lines of said section, and insert the words "one dollar" in lieu thereof.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after passage.

CHAP. LVII.—MINING DISTRICTS; LAWS RELATING THERETO.

AN ACT to provide for the preservation of the records, laws, and proceedings of mining districts, and their use as evidence. (Approved November 26, 1879; Sess. Laws, 1879, p. 115.)

SECTION 1. That a copy of all the records, laws, and proceedings of each mining district, so far as they relate to lode-claims, shall be filed in the office of the register of deeds of the county in which the district is situated, within the boundaries attached to the same, which shall be taken as evidence in any court having jurisdiction in the matters concerned in such record or proceeding; and all such records of deeds and conveyances, laws and proceedings of any mining district heretofore filed in the register's office of the proper county, and transcripts thereof duly certified, whether such record relate to gulch-claims, lode-claims, building-lots, or other real estate, shall have the like effect in evidence.

SEC. 2. It shall be the duty of the recorder of each mining district to file copies as above provided, and reasonable fees therefor may be provided by the several mining districts.

SEC. 3. This act shall take effect from and after its passage.

LOCAL MINING LAWS AND REGULATIONS.

PREFACE.

The following collection of district mining laws has been transcribed with great care in order to present accurate copies of the original records, with their multiform errors of grammatical construction, spelling, punctuation, &c. In most instances the transcripts are certified by the district or county recorders, and the accuracy of the remainder is attested by the special agents of the Census who made the collection. By the rigid exactness of the reproduction, the value of this record for the purpose of citation or reference is evidently enhanced, while the crude and defective character of these rudely framed codes is shown forth in a more natural and vivid light.

LOCAL MINING LAWS AND REGULATIONS.

ARIZONA.

YUMA COUNTY.—CASTLE DOME MINING DISTRICT.

At a meeting held at La Paz on the 8th of December 1862 by persons claiming interests in mineral veins near the Castle Dome range of mts Col Snively was requested to act as Chairman and H Ehrenberg as Secretary of the meeting and the following resolutions were adopted.

That the District wherein said veins are situated be called the Castle Dome District and be bounded as follows Beginning at the Peak known as Castle Dom—Thence 10 miles south—Thence East 10 miles—Thence north 10 miles—Thence West 10 miles to the starting point.

2 That a mining claim in this District shall be 100 yards along said vein including all the angles spurrs &c belonging thereto—

3 That the Discoverer or Discoverers of a vein shall be entitled to 100 yds extra on each & every vein discovered by him or them.

4. That in taking possession of claims the shall be clearly defined by conspicuous stakes or monmts of rock with the names of persons claiming.

5. That 100 yards on each side of the vein where not conflicting with prior rights shall be considered part of the claim, and shall belong to the same, with any and every substance or thing found within these bounds on or below the surface.

6. That all claims shall be recorded within 10 days after claiming them—

7. That all claims thus recorded shall be properly described in their boundaries, and their relative position, as bearing and distances (where practicable) to any natural or artificial object stated.

8. That in consideration of the want of mining implements and material in this section at present, the time for commencing operations on the claims is fixed to 15 March 1863.

9. That on and after that date all claims located shall be worked within 30 days.

10. That all claims shall be worked in good faith for at least 4 days in each month.

11. That companies holding various claims on the same vein shall not be obliged to work all of them severaly, but that the working of any one of their claims in accordance with article 10 shall be sufficient evidence of good faith and ownership of the parties claiming.

12. No claims shall be considdered abandoned or forfeited for suspension of work for want of water or on account of war with Indians or any other unavoidable circumstance or obstacle.

13. A Recorder shall be elected for the District who shall record the different claims, as presented in a book kept for that purpose and he shall give certified copies thereof—

14. The fee of Recording shall be One Dollar for each claim, and no records of claims shall be made unless a specimen of the ore, coming from said claim shall accompany the statement to be recorded, which specimen shall be properly marked and preserved by the Recorder to serve as evidence in case of dispute hereafter.

15. The Recorder to be elected hereafter shall for the present keep his office in the town of La Paz Arizona—

16 Herman Ehrenberg is hereby chosen Recorder for Castle Dom District.

17 Any five miners holding claims in this District shall have a right to call a general meeting of the miners interested in claims there, for the purpose of revising the mining laws, the election of Recorder or for any other purpose referring to the general interest of the District.

18 Any such meeting as mentioned in article 17 shall only be considdered legal by having 2 notices thereof posted within the bounds of said district, and one at the Recorders office for at least 14 days previously.

J. SNIVELY *Chairman*

H. EHRENBERG *Secretary.*

"Notice"

At a meeting of the miners of Castle Dome District, held at La Paz the 14th day of September 1863—

On motion Cal J. Snively was called to the chair and Mr. C. H. Brinley was chosen Secretary.

The object of the meeting having been stated by the chairman, *to wit*—the propriety of suspending work in Castle Dome District for a period, it was *resolved and adopted* by the meeting

"That all labor necessary to hold possession of claims in said district be suspended until the 1st day of November proximo—"

Whereupon the meeting adjourned "sine die"

LA PAZ 14th September A. D. 1863

J. SNIVELY *Chairman*

C. H. BRINLEY *Secretary*

MINER'S MEETING.

Notice.

A meeting of the miners will be held in this Town on Monday the 14th instant at 6 p. m. at the office of the Recorder, to take into consideration the propriety of a further suspension of the mining regulations which xpire by limitation on the 15th inst.

Mining District of La Paz territory of Arizona

By request of many miners

T. H. BILDURRAIN *Recorder*
C. H. BRINLEY *Deputy*

Pursuant to the tenor of the above (which is copy of the Notice for a miners meeting) the miners of this District met at the appointed time and place and on motion Col. J Snively was called to the chair, and Mr. C. H. Brinley appointed secretary of the meeting—

Whereupon the meeting was called to order by the chairman, and the secretary was instructed to read the regulations concerning the suspension of work on mining claims as adopted by the meeting held in La Paz on the 11th day of April last past. The same having been read by the secretary, the following resolutions were offered and adopted.

1st That on or before the 15th day of October next ensuing it shall be incumbent upon all claimants to mining ground situated in this district to sink a hole on each company lead or lode of five feet in depth; and in default thereof, all said claims will be liable to forfeiture and re-location.

2d That all claimants to mining ground in this district shall elect and stake off their claims on or before the 15th day of October next ensuing—

3d That the foregoing resolutions shall in no wise be construed as effecting claims which have already been worked in conformity to the mining laws of this District—

4th That Mr. C. H. Brinley retain in his possession the records of this District until the successor of the present incumbent be elected—

Whereupon the meeting adjourned—

J. SNIVELY *Chairman*

C. H. BRINLEY *Secretary*

LA PAZ 14*th September A. D.* 1863

MINING LAWS

NOVEMBER 1st 1863.

Miners meeting pursuant to notice

On motion Cal. Snively was called to the chair.

On motion Geo. W Leigh was appointed secretary.

On motion a committee of three was appointed by the chair to Draft laws for the District.

The chair appointed James Porter Thomas Bidwell & Dr. Rogers said committee.

On motion the meeting adjourned for one hour to give the committee time to prepare their report.

SEC. 1st That a mining claim in the District shall be three hundred feet along the vein including all the dips angles & spurs, and also fifty feet on each side of the Lode or vein, and all metals therein contained

SEC. 2. That the discoverer or discoverers shall be entitled to an extra claim of three hundred feet—

SEC. 3d A monument at least 18 inches high and a notice designating the distance each way from the monument.

SEC. 4th That all persons holding claims which are duly located as described in section third, to have the same recorded by the Recorder of this District within thirty days, upon failing to comply, his claim shall be deemed vacant and subject to location by any other party. And the recorders fees shall be Two dollars and fifty cents for recording each notice. When said notice shall not contain more than five names, each additional name above that number shall be charged twenty five cents.

SECT. 5th It shall also be the duty of the claimants, or one of them to sink or cause to be sunk a shaft or cut a tunnel at least five feet within the period of six months from date of record, which shall entitle the owners thereof in full possession for twelve months.

SECTION 6th That all the laws conflicting with foregoing are hereby repealed.

SECT. 7th That a Recorder for the District be elected on this day, and hereafter, on the first Monday in November, annually, and the Recorder shall hold his office and have Books of Record in this district and he shall have power to appoint a competent Deputy, and his Books shall at all business hours be open for inspection in the presence of the Recorder or his Deputy, and all stationary and other expenses pertaining to the office shall be borne by the said Recorder. And at the end of his term, or in case of resignation, he shall deliver at once to his successor all papers books &c of whatsoever nature pertaining to said Recorders office. All deeds for mining claim in this District shall be recorded in the books of Record for the sum of two dollars and fifty cents each.

SEC. 7th That all extensions taken shall be as distinctly marked and boundaries as clearly defined as in the original location, and shall be governed & held only by the same laws and regulations as are applied to all other claims.

On motion Col. J. Snively was nominated for Recorder and was unanimously elected.

On motion the meeting adjourned sine di.

J. SNIVELY *Chairman*

GEO. W LEIHY *Secretary*

CASTLE DOME DISTRICT MINING LAWS

In accordance with the previous notices posted at La Paz and Arizona City, we the miners of Castle Dome District held a miners meeting at Castle Dome City on Saturday the 2d day of November 1867 at 12 o'clock m.

Mr. Bidwell called the meeting to order and nominated Mr. Lindsay as President. Mr. Lindsay was declared elected & Mr. Bidwell was declared elected Secretary.

On motion a committee of three was appointed by the chair composed of T. H. Rhea, C. Rogers and T. P. Laird to report a set of laws for the government of the District, who report as follows:

Whereas, all laws & regulations heretofore made and providing for the location and regulation of mines and mineral deposits in the mining district of Castle Dome have ceased by default, and

Whereas, the laws of the United States and that of the territory of Arizona empowers the miners of their respective Districts to make all rules and regulations for the location of mines

Resolved 1st That the District shall be known as "Castle Dome" and bounded as follows—Commencing at the mouth of the Yuma Wash on the Colorado River, and thence in a direct line to the peak known as the Castle Dome & thence in a South easterly course to the Gila River, thence along said River to its confluence with the Colorado River thence along the main channel of the Colorado to point of beginning—

Resolved 2nd That Two hundreed feet shall constitute a claim, running with the Ledge or Lode and one hundred feet on each side with all dips spurs & angles of said Ledge or Lode—

Resolved 3rd Where parties owning mining claims have complied with section 25 of chapter 50 Howell Code & sunk a shaft ten feet deep on said mines are hereby declared valid and not subject to relocation. And all mining claims that have not complied with said section are hereby declared abandoned and subject to relocation.

Resolved 4th All Locations made in pursuance to this Law shall be made by the parties making the same by building a monument of substantial material on the Lode or vein & placing a notice on some conspicuous place in said monument with the names of the Locators & the number of feet claimed by them—

Resolved 5th That 30 (thirty) days shall be allowed to record all Locations made in this District.

Resolved 6th That Peter Dall County Recorder is hereby declared ex. Officio Recorder of this District and shall hold his office for one year—

Resolved 7th That upon application of three miners interested in this District by petition to the Recorder he shall call a meeting of the miners of said District by posting notices at three different places within the County of Yuma giving at least ten days notice and said meeting shall be held within the limits of this District The Recorder may deputize some person to act instead at said meeting, and he shall call an anual meeting for the transaction of all business of said District. Parties may transmit their notices to the Recorder with the fees and the Recorder shall file them at once—The Recorder shall not be compelled to make any Record without his fees in advance—

Resolved 8th The Recorder shall receive the following fees: Fifty cents for each name on a notice and twenty five cents for each certificate of location; fees in currency.

Resolved 9th That a shaft at least ten feet deep shall be sunk within twelve months from the date of the location.

Resolved 10th All Locations made subsequent to the passage of an act of Congress of the United States for the Government of Mineral Laws and in conflict with said act is hereby declared abandoned and subject to re location.

Those Preables and resolutions reported by the committee for the government of this District which was unanimously adopted—

On motion the meeting adjourned

OLIVER LINDSAY *President*

Attest:

THOS T. BIDWELL *Secretary*

Recorded at La Paz Yuma County this eleventh day of November 1867

PETER DALL *Recorder*

"MINERS MEETING" HELD AT CASTLE DOME YUMA COUNTY ARIZONA TERRITORY JULY 17th 1871.

Pursuant to notice posted according to law calling a meeting of all parties interested and working as miners in the Castle Dome Range Yuma County Arizona Tery. to be held on the evening of Monday the 17th day of July A. D. 1871 at which time the following named miners met together in the cabin of the "Castle Dome mine" Wm Scriver, Nick Gunther, Neal Johnson, John Wreno, Jos Ruth, Wm Conway, Geo. Wilson, John T. Voison, John McWade Abe Hoagland, John Boland, Danl Johnson and Wm P. Miller.

The meeting was called to order at 8 p. m. & the following named parties were duly elected Officers of the meeting—Abe Hoagland as Chairman and Wm P. Miller as Secretary—

After a statement of the object of the meeting by the chairman upon agreement of all parties the following were adopted article by article by the miners present as a code of laws for defining working & regulating of all lode & ledge claims & locations of said District.

CASTLE DOME MINING LAWS.

JURISDICTION

ARTICLE I The jurisdiction of the following laws shall extend over all lode, ledge & vein mines and mining property within the following described and bounded District. Commencing at a point known and being the centre of the "Castle Dome Mine" on the "Buckeye" lode in the "Castle Dome" Mining Range, and running from said point North Ten (10) miles. South Ten (10) miles, and all mines within said boundary shall be known as being in the "Castle Dome" Mining District.

DIMENSIONS OF CLAIMS

ARTICLE II Any person shall be entitled to locate on any ledge or lode that is open to location by discovery or other wise, one claim of Two Hundred feet with an additional claim of Two Hundred feet for discovery, & for each and every individual name located on same

ledge forming one company Two Hundred feet; provided that there shall not be over three thousand feet held on any one ledge or lode by any one company and said claim or claims shall include all dips spurs angles & variations of the ledge, and said claimants shall be entitled to one hundred feet of ground on each side of the ledge for the purpose of working said ledge.

WORKING THE CLAIMS

ARTICLE III—If any person company or their agents within thirty days from the date of locating their claims commence work on said claims, and sink a shaft or slope to the amount of Depth of fifteen feet by three ft. wide and five feet on any part of their claim or claims, said claim or claims shall be considdered and held under good title for the period of six months from the date of Location, and if any person company or their agents within thirty days from the date of location of their claims commence work on their claims & sink a shaft or slope to the depth of thirty feet by three feet wide and five feet long on any part of their claim or claims, said claim or claims shall be considered and held under good title for the period of one year from the date of location Provided that all claims located between the 15th day of June and the 1st day of October shall not be required to work on their claims until the 1st day of October and all claims thus located shall be under good title until the first of October by monument & location notices.

The working season for this district shall be from the 1st day of October until the 15th day of June of each year when work shall be prosecuted according to these laws to perfect Title.

WHAT CLAIMS TO BE ABANDONED.

ARTICLE IV All claims that have been located since July 1st 1870 that have not done the amount of work as described and required by Article III of these laws and shall fail to comply with the provisions of these laws, shall be considered abandoned after thirty days from the date of the working season October 1st 1871, and shall be subject to be located by any other party or parties.

"RECORDER"

ARTICLE V There shall be a District Recorder elected by the miners in meeting at the mines of this District, to hold office for the term of one year from date of Election and said Recorder shall furnish Books for recording claims to be kept on and within said mining District of "Castle Dome." The Recorders fees shall be for each and every claim of two Hundred feet twenty-five cents and for each certificate fifty cents.

"TITLES"

ARTICLE VI No title to any claim here after located or taken up shall be considered valid unless recorded in the books of the District Recorder within sixty days from the date of such location if located during the working season, as described in Article III otherwise within sixty days from October 1st the beginning of the working season.

LOCATIONS HOW MADE

ARTICLE VII Location shall be made by placing a good and sufficient monument at some point on the claim with a notice stating the number of claims and feet, names of parties date of location and the course of said claims from said monument.

FORMER RULES & LAWS

ARTICLE VIII All laws, rules & regulations here-to-fore passed for the purpose of regulating controlling working locating and management of the mines in this District are hereby declared null & void, & of no account whatever.

CERTIFICATE

ARTICLE IX Any person or company having located any claim or claims in accordance with these laws, and having the same duly recorded as provided in these articles, & making oath that such person or persons or company have done the requisite amount of work on such claim or claims in developing the same as required by these laws, then the District Recorder shall give to said person or persons in company a certificate of title to said claim or claims according to the amount of work performed from time to time for each year as provided

"BOOKS PAPER &C"

ARTICLE X The District Recorder shall pass all books papers & records to his successor in office—William P. Miller having been duly elected at this meeting is hereby declared the District Recorder for the term of one year from date and shall be in the District either in person or by deputy with Books of Record by the 1st of October 1871

ARTICLE XI—No thing in these articles shall at any time be inconsistant with the laws of the United States.

The foregoing laws were enacted by the miners of Castle Dome Mining District, at the Central Location of said District July 17th 1871

ABRAM R. HOAGLAND *Chairman*

WM P. MILLER *Secty.*

Recorded July 27th A. D. 1871 at 3 o'clock p. m.

JAMES S. SPAUN *County Recorder*
pr A. A. MIX *Deputy*

MINERS MEETING HELD AT CASTLE DOME MINING DISTRICT YUMA COUNTY A. T. JANUARY 9 A. D. 1875.

Pursuant to notice posted according to law December 30th A. D. 1874, calling a meeting of all parties interested and working as miners in the Castle Yuma County A. T. to be held on the evening of Saturday January 9th A. D. 1875 the following miners met together in the house of Miller & Hopkins in said Dist. viz—W. L. Hopkins, G. W. Cole, J. D. Sibold, W. O. Lyon, W. J. Helms, H. Jones, W Logan, Thomas J. B. Heath, J. D. Rittenhouse and Chas Farrel.

The meeting was called to order at 7.30 oclock p. m. and the following named parties were duly elected officers of the meeting—viz—W. L. Hopkins as President, and J. D. Rittenhouse as Secretary.

After a statement of the object of the meeting by the President, the following resolutions were adopted by the miners present for the future regulation and working of all lode and ledge claims and mining locations of said Castle Dome Mining District in Yuma County Arizona Territory, viz:

1st All laws rules & regulations heretofore passed for the purpose of regulating working, locating, controling and for management of the mines in the Castle Dome Mining District Yuma County A. T. are from and after this 9th day of January A. D. 1875 hereby declared null & void and to have no weight and worth in future in said District.

2d That the jurisdiction of all laws & regulations adopted by this meeting shall extend over all Lode, Ledge & vein mines and mining property within the following described and bounded district commencing at a point known and being the centre of the "Castle Dome Mine" on the "Buckeye Lode" in the Castle Dome Mining Dist. A. T. and running from said point North five (5) miles, and South (5) five miles, East five (5) miles and West five (5) miles. The District to be ten (10) miles long and ten (10) miles wide, and all mines within said boundaries, shall all be known as being the Castle Dome Mining District Yuma county A. T.

3d That from and after January 9th, A. D. 1875 the act of Congress of the U. S. A passed May 10th A. D. 1872 relating to mines & mining; be and is accepted as the law governing the mines of this Castle Dome Mining District Yuma county A. T. and all locations made shall be made under & in conformity to. and all future working of mines in said Castle Dome District to be in accordance to said law of the U. S. of A of May 10th 1872.

4th That the office of District Recorder of Castle Dome Mining District Yuma County A. T. be and is hereby abolished from and after the 9th day of January A. D. 1875.

5th That all records of locations of mines and mining property in the Castle Dome Mining District Yuma County A. T. from and after January ninth A. D. 1875 be made with the County Recorder of Yuma County A. T. within (30) thirty days from date of location.

6th That the resolutions of the meeting be Recorded in the county records at Yuma A. T. and be published in the Arizona Sentinel.

W. L. HOPKINS *Presdt*

J. B. RITTENHOUSE *Secretary*

Recorded March 2d A. D. 1875 at 5 p. m. at request of Mr. Phillips

JAMES S. SPANN *County Recorder*

YAVAPAI COUNTY.—WEAVER MINING DISTRICT.

NAME AND BOUNDARY OF DISTRICT.

1st This District shall be known as Weaver District and bounded as follows—to wit, commencing at the mouth or sink of the Hassayamp Creek following up the eastern bank of said creek to the Tanks on the Southern boundary line of Walkers, thence West to the head of the Canyon of the St. Maria, thence southerly to Indian Springs continuing in said direction crossing Date creek near the Indian Cemetery ten miles from said crossing, thence east to the place of beginning.

SIZE OF CLAIMS.

2d—The size of claims in this District shall be one hundred & fifty feet on creeks or Gulches and seventy five feet on each side.

NUMBER OF CLAIMS &C.

3d No person shall hold but one claim in this District except the original discoverers (Ten in number) and the discoverer of new creek or Gulch diggings who are & shall be entitled to one additional claim, all claims worked & Recorded within five days from the time of location shall hold good for sixty days. After the expiration of said sixty days all claims shall be worked on one day in ten.

ARBITRATION.

4th All disputes in refference to mining claims in this District to be settled by arbitration.

MEXICANS.

5th No citizens of Mexico shall hold or work claims in this District except the boy Lorenzo Para who is one of the original discoverers, and should the miners employ any of the said citizens of Mexico, they will be held responsible for their good bahavior, and should the said employer fail to comply with this article he or they shall forfeit all interest in the mines & leave the District.

PURCHASING CLAIMS.

6th No person or persons shall purchase or sell any claims in this District for sixty days from the adoption of these laws, nor shall any person take up and hold claims for non-residents of the District.

RECORDER.

7th There shall be one Recorder elected whose duty shall be to record mining claims & bills of sale & preserve the laws of the district in a book or books to be kept for that purpose, said Records to be open for examination (free). His term of office shall be three months & until his successor is elected. He shall post or cause to be posted notices in three public places of the District notifying the miners of the expiration of his term, stating the time & place of election, and deliver to his successor all Books Papers and Maps belonging to his office. His fees for Recording shall be one dollar for each claim, and one dollar for each Bill of Sale. No Bills of Sale of claims will be valid unless recorded within forty-eight hours after date—

CALLING MEETINGS.

8th Any five miners can call a meeting of the miners of the District by Posting notices in three public places of the District stating the object of the meeting, giving five days notice and signing their names to said notices

ARTHUR M. HENRY *Recorder*

JUNE 25TH 1863.

ORGANIZATION OF WEAVER DISTRICT.

LA PAZ, *March 9th*, 1863.

Notice is hereby given that a miners meeting will be held in Olive City on the 20th day of March for the purpose of considdering the importance of forming a new District to be composed of what is now known as the "Weaver Range" and other sections that it may be considdered judicious to add thereto. Signed by request of many miners—

The meeting called in accordance with the above notice was organized by electing Mr. C. B. Green President and James S. Trimble Secretary.

The object of the meeting was explained by reading the preceding notice which had been duly posted throughout the district.

Mr. J. P. Newcomb moved that a committee be appointed to consider the division of the district and bring in resolutions in regard thereto, which motion was seconded and passed by the meeting. Some objections being raised it was reconsidered and the question left open for discussion. After some debate the sense of the meeting was taken directly upon the division of the district, which resulted in almost a unanimous vote in favor of division—

On motion a committee of five were appointed and elected by the meeting to draft laws for the district and also to define its limits, the following Gentlemen were elected said committee—Jas Reed J. B. Chevalier, W. B. Marshall H. M. Oliver Louie Robertson.

On motion the meeting adjourned for one hour to allow the committee time to prepare their report.

Meeting again convened at 2 oclock P. M. The committee upon the limits of the District, and resolutions for the government of the same, handed in the following report.

OLIVE CITY *March 20th* 1863.

At a meeting of miners and others held at Olive City in pursuance of notice it was

Resolved That the undersigned act as a Committee to draft resolutions and to fix the limits of a proposed new mining District, both to be submitted for the action of an adjourned meeting to be held at 2 o'clock of the same day—

The committee respectfully submit the following resolutions.

Resolved 1st That the district be known as the Weaver District

Resolved 2d That the District be bounded on the north commencing at a point on the River called the "Half Way House" situated between Olive City and La Paz, thence running Easterly to Las Posas thence running Southerly along the main arrotta to "Castle Dome" thence Westerly to the River thence running North by the River to the place of beginning.

Resolved 3d That any one may locate one claim only on each lode or ledge that may be discovered in the district and that in addition the discover of any ledge shall have a discovery claim.

Resolved 4th That each claim both by location and discovery shall be two hundred feet on the ledge, and one hundred feet on each side along the ledge and following the dip of the ledge.

Resolved 5th That in locating any claim or taking one up by discovery, the party so locating or taking up shall place a conspicuous notice on said claim defining its boundaries & the direction in which it runs.

Resolved 6th Said notice shall hold the claim twenty days, after which time should there have been neither work done upon it, nor record made of it, such claim shall be subject to forfeiture.

Resolved 7th That each claimant do or cause to be done on his claim three days labor in every ninety days.

Resolved 8th That in case such claimant shall have done twelve days labor on his claim within six months from the time of commencement, such labor shall hold said claim for twelve months.

Resolved 9th That there be a Recorder elected for this District who shall be a resident of Olive City whose term of office shall be six months—It shall be his duty to record all claims presented to him for that purpose in a book kept for that special purpose, & that it be his duty should it be required to furnish a certificate of record to each one recording a claim, or transfer of claims or bill of sale—

Resolved 10th That for recording such claim the Recorder be paid fifty cents and for recording deed or transfer two dollars and fifty cents—The records shall be open for inspection of any one who may wish to examine them in the presence of the Recorder or his deputy—That the books Stationary etc necessary to the carrying on of his office be furnished by the Recorder at his own cost.

Resolved 11th That the above are not intended to have other than a prospective effect and consequently that they do not in any manner conflict or interfere with any interests held under the laws of the district of La Paz.

Resolved 12th That a certificate of record from the La Paz district for any claims now taken within the boundaries of Weaver district shall be recorded free of charge in Olive City—

The meeting then ballotted for Recorder which resulted in the election of James S. Trimble. Fifty seven votes were cast

The meeting then adjourned

C. B. GREEN *President*

JAMES S. TRIMBLE *Secretary.*

Recorded March 20th 1863.

Re Recorded June 3rd 1863 from a printed copy of the original Record printed in the Morning Call newspaper in San Francisco Dated April 9th 1863

JAMES S. TRIMBLE *Recorder*

WM A. WOOD *Deputy*

MINUTES OF MINERS MEETING

OLIVE CITY *March 19th* 1864.

At a meeting held in the Recorders office in Olive City this day in pursuance of notice the following proceedings were had.

Mr. J. B. Chevalier was elected President and Wm Blanchard Secretary of the meeting.

It was moved by Mr. Hanford that the meeting be adjourned until April 2nd 1864 on account of the few miners present. the motion was seconded and carried, and the meeting was then declared adjourned by the president.

J. B. CHEVALIER *President*

WM BLANCHARD *Secretary*

Recorded March 29th 1864

WM A. WOOD *Recorder*—

MINUTES OF MINERS MEETING.

An adjourned meeting was held at the residence of W. A. Wood (Rec) in Olive City at 12 o'clock m. on Saturday April 2nd 1864 when J. W. Hanford was chosen chairman & W. W. Holder Sec. for the purpose of electing a Recorder for the Weaver District and amending the laws—The minutes of adjournment was read and adopted— .

Resolved 2nd That the words or Mineral be added to art. 9th of code of laws of this district so as to read Olive or Mineral City also strike out the word six and insert the word twelve so as to read whose term of office shall be twelve month—

Resolved 3d That we proceed to Elect a Recorder which resulted in the unanimous choice of J. W. Hanford Recorder of Weaver District

Resolved That the meeting now adjourn so carried

J. W. HANFORD *President*

W. W. HOLDER *Secretary*

Notice.

A Miners Meeting will be held in Olive City on Monday the 23rd inst at 1 oclock P. M. by the miners interested in the Weaver Mining District also an Election for Dist. Recorder if deemed expedient all interested in the Dist. are requested to attend as business of importance will be brought before the meeting.

Dated Mineral City Jan 11th 1865

W. HANFORD *Dist. Recorder*—

The meeting called in pursuance of the above notice was organized by electing Wm Thompson President and J. W. Hanford Secretary, the above notice was read by the Sec. the meeting then proceeded to adopt the following resolutions

On motion of Mr. Freman and seconded by Mr. Gird

Resolved That we adopt the Mining laws of this Territory *subject to the action of Congress* as the laws of this district hereby repealing all the laws heretofore made and in force in this District

Resolution adopted

By Mr. Freman

Resolved That we adopt the County Recorder as the recorder of this district

Resolution adopted

On motion the meeting adjourned

W. THOMPSON *President*

W HANFORD *Secretary*

PINAL COUNTY.—PIONEER MINING DISTRICT.

MINERS MEETING ON THE OOLKILSIPAVA RIVER MAY 10*th* 1863

Mr S. SHOUP *President*
J. V. WHEELHOUSE *Secretary*

Names of original prospectors as required by Resolution No seven—

Capt I. R. Walker	George Bloper	G. Gillahan
Jos R. Walker Jr	A. C. Benedict	Jackson McCrackin
John Dixon	S. Shoup	Rodney McKinnon
Jacob Linn	T. J. Johnson	Felix Cholet
Jacob Miller	B. Ellis	M Lewis
Jas V. Wheelhouse	A. B. French	Jas Chase
Jack Swelling	Chas Taylor	George Coulter
Frank Finney	H. B. Cummings	
S. C. Miller	Wm Williams	

Preamble, laws, & resolutions adopted & passed by the "Walker" prospecting & mining company for their mutual guidance and protection at a meeting of said company on the Ookilipava River May 10″ 1863

SEC 1st To all whom it may concern, be it known that the "Walker" prospecting & mining company have taken up certain portions of Ookilipava river & Tributarys for mining purposes have formed the said portion into a District to be called Pioneer District extending from the head of said river to a tree below the falls at the foot of the mountains (on which the notice of claimants is put up) taking in all tributarys, gulches, & ravines drained by said portion of river to main summit on both sides

SEC 2d That at a miners meeting duly called & at which a majority shall pronounce pro & con, shall be in this Dist the manner by which all laws be made & adopted, disputes to rights of claims settled, extent thereof, litigation &c, & all other business appertaining to miners & their rights usually settled at said meetings in other mining Dists—

SEC 3 That there shall be one President to preside over said meetings & one Secretary, both of whom shall be elected by a majority of votes for the term of one year from the date of election— It shall be the duty of said Presd't to call all meetings & see that business belonging to said meetings be properly brought before it & freely discussed to the satisfaction of all parties concerned— The duty of the Secty shall be to keep a true & proper record (in writing) of the proceedings of each & all of said meetings—

SEC 4 There shall be a Recorder for said Dist appointed by the miners for the term of one year, whose duty it shall be to record all claims, sales & transfers of same & other transactions in said Dis't appertaining to said office in other mining districts—He shall keep a true record of same in writing open at all proper hours for public inspection—

Resolutions passed & carried at the above meeting—

Resolved, That one hundred yards in length and fifty yards from each side of centre of gulch be considered a claim on this river—

Resolved, That each original prospector be entitled to one extra claim by right of discovery—

Resolved, That each member of the company having drawn by lottery the number of his claims shall have the privilege of exchanging one or both of them for any other unclaimed part of said river same dimensions as original being observed—

Resolved, That whereas but little time was taken to properly prospect, no claims be taken for persons outside of original prospectors until they, have definitely settled to which part of said river their claim may be exchanged to—

Resolved That the President be entitled to a fee of five dollars for each miners meeting which may be called to settle disputes or other individual business, to be paid by parties calling said meeting before the meeting be called &.in case of winning suit to be refunded to Plaintiff & same amount collected from Defendant—

Resolved That the names of all original prospectors be embodied in this document—

Resolved That Mr T. J. Johnson be President of this Dis't

Resolved That Mr Wheelhouse be Secretary—

" That Mr Wheelhouse be Recorder

" That the original claimants whose names appear in this document have nothing to pay for recording their first claims—

Resolved That the fee for recording claims be fixed at Two dollars & fifty cents per claim—

Resolved, That no Mexican shall have the right to buy, take up, or pre empt a claim on this river, or in this Dis't for the term of six months, to date from the first date of June 1863 to Dec 1st 1863

S. SHOUP *President*

J. V. WHEELHOUSE *Sect'y*—

MINERS MEETING, HELD ON THE OOLKILIPAVA RIVER, JUNE 10*th* 1863

Resolutions passed at said meeting—

Resolved, That the present boundaries of the Dis't be enlarged & its limits be extended to the Francisco River on the East, on the West to the divi de of the river Aziamp & Antelope creek & include the Aqua Frio river & its tributaries—

Resolved, That two days more "from date" be allowed Original prospectors for locating their claims—

Resolved, That each & all owners of claims mark & number them on trees or stakes at both ends so as to be properly understood—

Resolved, That claim holders shall have the right to say at which end of their claim or claims they shall commence measuring from when they are called upon to measure—

Resolved, That all claims taken up be recorded within ten days & no person allowed to take up claims for others when out prospecting—

Resolved, That all claims duly recorded be held for one year whether worked or not—

Resolved That 200 feet in lodes be considered a claim

Resolved, That Chinamen be excluded from working in any portion of this District—

Resolved, That all persons bringing in Mexicans or having them in their employ, record the names of said Mexicans at the office of the Dis't Recorder—

Resolved, That persons employing Mexicans in any capacity be held responsible for all depredations upon property proved to have been committed by them—

Resolved, That upon the discharge of each or any such Mexican from employ notice be given the Recorder by the employer—

Resolved, That the fee for Recording each individual name be fixed at four bits—

MEETING OF THE 12TH JULY 1863 LINK (*sic*) CREEK—

Resolved, That the law already passed with regard to Mexicans remain unchanged—

Resolved, That the "Walker party" or Original prospectors have the right to locate their discovery claims in any part of the Dist & have ten days from date to do the same—

Resolved, That no person hold more than one pre emption claim on each stream in this District

Resolved, That Asiatics & Senoranians be excluded from working in this Dist—

Resolved, That a committee of three be appointed to measure & stake all claims on this stream, said committee to receive two bits per claim as remuneration—

Resolved, That the above named committee consist of Mr Murray, Col Dobbins, & Jacob Miller.

Resolved, That a committee of three be appointed who shall decide who are & who are not Mexicans subject to the law of exclusion from taking up & holding claims in the Dist—

Resolved, That Mr Green, Mr Murray & Wheelhouse compose the above named committee—

T. J. JOHNSON *President*

J. V. WHEELHOUSE *Secretary*—

Resolution passed at above meeting not mentioned above—

That Recorders fees be reduced to $1.50 pr claim for Recording and Companys claims as one & ten days from date in which to record the same be allowed to miners—

At an adjourned meeting of the miners of Pioneer Dis't held to pursuant to notice Jan 10″ 1864. Present Capt J. C. Bogert in the chair & V. C. Smith Secretary

Upon motion of F. G. Christie Mr V. C. Smith was unanimously declared Recorder of Placer mines

The following amendment to the By-laws was adopted

Resölved, That no person shall hold more than one placer claim by pre emption at one time within this Dis't except those claims heretofore granted to the Walker party—

The following resolution was adopted & embodied in the laws of the District—

Resolved, That any person holding a placer claim by purchase must have a bill of sale of said claim recorded within ten days from the date of purchase unless the purchaser take immediate possession & must if required show a good and sufficient title to said claim & show value received by oath or affirmation before the Recorder or a sworn officer—

Adjourned Sine Die

V. C. SMITH *Sect'y*

At a called meeting of the miners held March 6″ 1864 the following resolution was adopted—

We the citizens & miners of the "Walker" mining Dist under the existing Indian difficulties believing that it behooves us to protect our rights & those who may not be present & believing that no parties will be injured thereby—

Be it there fore Resolved—That all claims within "Walkers" mining Dist either quartz or placer mining claims be & they are here by considered the property of the present owners, provided the same are now recorded without the represention & labor required by the By-Laws of this Dist

The trial respecting a disputed mining claim between J. M. Sanford, Plf, & McKinnie & Hulton Dfdts, came on to be tried before a jury of the whole.

The following witnesses were were sworn & testified for Pltf, W. L. Griffin, H. L. Hubbard, J. Marsh, Crane, Ingalls, R. Kram & Lockhardt & the following witnesses were sworn & testified for Dfdt, S. Ruder, H. B. Cummings T. J. Johnson & F. G. Gillihan. The case was argued & the Jury gave as a result

For Plaintiff Eleven (11)

" Defendants Eighteen (18)

& it was ordered that verdict for defendents be entered.

On motion the meeting was adjourned Sine Die

VAN SMITH *Sec*
By F. G. CHRISTIE

At a called meeting of the citizens of Lynx Creek held March 14″ 1864 a committee of three were appointed to draft resolutions to present to the Governor. The com was composed of Dr Alsop, Genl Coulter & A. Brichta— & they submitted the following resolution—

"Whereas we the citizens of Lynx creek & vicinity are of the opinion that we are in danger from the hostile Indians that surround us, unless some measures are taken for our safety, & whereas we deem it our privilege to apply for protection to the constituted authorities & government, There fore be it

Resolved, That a committee of three persons be appointed to confer with the Governor of this Territory upon the means to be adopted for our protection

Resolved, That we pledge ourselves to afford all the aid in our power to subdue the Indians & render the country safe & habitable—

Resolved, That we are of the opinion that the stationing of a small body of soldiers in this immediate vicinity to act as patrols would materially add to the safety of the miners & others at work on this creek & its vicinity—

Resolved, That we believe our greatest danger lies in the stopping of supplies by cutting of the various trains of provisions & clothing that are now or may hereafter be on the way to this place & we earnestly recommend that immediate measures be taken to keep open communication with our sources of supply—

G. COULTER
A BRICHTA
J T ALSOP

The report was accepted & a further resolution adopted

Resolved, That a copy of the above resolutions be sent to the Governor by this committee

The committee appointed to confer with the Governor were, Col Dobbins, L. St James, F. G. Christie.

On motion adjourned Sine Die

F. G. CHRISTIE *Deputy Recorder*

At a called meeting of the miners & others in Pioneer Placer Dist & Walkers Quartz mining Dist held at the office of the Recorder of said Dist on the 22d day of May 1864 the following proceedings were had. J. C. Bogart president in the chair & Van Smith Secty by J T. Alsop Deputy—

Amendment to Article 16 of the laws of the Dist moved by G. Coulter & after having been amended by motion of J. C. Bogart was passed & read as follows,

Art 16—No person or persons shall locate a claim or claims within this Dist who are not within the Dist at the time of location & no person within the service of the United States be allowed to locate a claim within this Dist—

On motion of G. Coulter the following resolution was carried—

Resolved, That all claims within Walkers Mining Dist whether quartz or placer claims be & they are hereby the property of the present owners provided the same are now or may hereafter be recorded within the time stipulated in the By-Laws of this Dist without the representation required by labor, until the Indian difficulties are settled, which time shall be determined by a meeting of the miners of the Dist—

Mr Shupe was unanimously elected President Placer & Quartz
A. W. Adams was elected Secretary & Recorder Placer & Quartz
Resolution of May 10″ 1863 in regard to Mexicans extended six months from date
Adjourned Sine Die

VAN SMITH *Secty*
By J T ALSOP *Deputy*—

At a meeting of the miners & others held pursuant to a call by the President of the Districts of Pioneer (Placer) & Walkers Quartz mining Dist on 29 day of May 1864 The following resolutions were passed—

1st *Resolution* That, that portion of Article 16 of By-Laws relating to persons in the service of the United States & which reads as follows "and no person in the service of the United States be allowed to locate a claim in this Dis't" be & the same is hereby repealed—

2nd *Resolved* That Art 16 of the mining laws of Walkers Quartz mining Dist be amended to read "Territory" in place of "District" allowing all citizens of the Territory the privilege of locating quartz claims—

SOLOMON SHOOP, *President*

& A. W. ADAMS *Secretary*
WALKER DIST ARIZONA *May* 29″ 1864

At a meeting held on Sunday June 26″ 1864 pursuant to a call by notice dated on 19″ inst the following resolution was passed—

Resolved That all that portion of Walker Dist embraced on Turkey creek & its tributaries be struck off to be formed into another Dist at the pleasure of those holding claims in said section or locality—

S. SHOOP *President*

A. W. ADAMS *Secretary*—

At a meeting of the miners of Walkers Quartz mining Dist held on 2d day of October A D 1864 held pursuant to a call by the President of the Dist the following resolutions were adopted

Resolution 1st amendment to art 13

Resolved 1st That any person holding a quartz location of 200 feet within this Dist who has or may hereafter sink on the same a shaft 3 ft wide 4 feet in length & 2 feet deep running with the ledge, the same will be equivalent to 12 days labor as required by Art 13 of the By-Laws of this Dist, or if the same is held by a company, for every additional member thereto the sinking of 1 foot deeper in said shaft will be required of each member in order to perpetuate the titles to the same—

Resolved 2d That the labor required by resolution 1 passed at this meeting shall be performed within six (6) months from this date—

Resolved 3d That the recorder is hereby authorized to issue certificates of title to any person or persons who may have complied with the provisions of Resolutions 1st & 2nd passed at this meeting, for which he shall receive the sum of $1.00 measuring off the shaft or work included

S. SHOUP *President*

A. W. ADAMS *Sect'y*
WALKER DIST AARIZONA *Oct 2d* 1864

At a meeting of the miners held Monday evening Nov 14″ 1864 at the store of Wormsen & Co Lynx Creek—
On motion it was resolved 1st

That the laws of this Dist be & are hereby amended so as to authorize parties or persons owning mineral land or Quartz lodes to locate for his or their benefit one quarter section of land for the purpose of a mill site to be used by he or them in the prosecution of their labors in reducing ores, subject to the Territorial law with all of its restrictions & provisions to the same intent & effect as if herein copied—

2d All laws heretofore passed at any of the meetings conflicting with the foregoing section are hereby repealed—

3d This law shall take effect from & after its passage—

4th The recorder shall receive $1.00 one dollar for recording each claim of auxiliary land—

5th In the event of the failure of the Congress of the United States to approve the Territorial law, section first of this resolution shall be null & void

S. SHOUP *President W. Quartz M. Dist*—

C. BROOKS *Sect'y*—

At a meeting of the miners of Walkers Quartz Mining Dist held Nov 27″ 1864 for the purpose of electing officers for the ensuing six months Solomon Shoup unanimously elected President E B Radford having received 21 votes out of 32 cast was declared elected Recorder.

No further business meeting adjourned—

SOLOMON SHOUP *President*

Meeting held Feb 26″ 1865 office of recorder declared vacant on a/c of abscence & Wm Baxter elected in his place—

S. SHOUP *Presd't*—

YAVAPAI COUNTY.—YAPAPEI (*sic*) MINING DISTRICT.

BY LAWS.

LEIHYS & MELLONS CAMP *September 10th* 1863.

Notice is hereby given that a Miners Meeting will be held at Leihy & Mellon's camp on the 28th day of September for the purpose of forming a Mining District and to make laws governing the same—

SEPTEMBER 28*th* 1863.

The meeting called in accordance with above notice, was organized by electing A. B. Smith—President & Geo. W. Leihy Secretary—

A committee of 5 were elected to draft laws for government of District & its boundaries—A. B. Smith, Geo. W Leihy, G. C. Welch, C. G. Mellon & G. C. Cross the gentlemen of committee

On motion meeting adjourned one hour to allow committee to make report.

4 O'CLOCK P. M. 28*th* 1863.

Meeting again assembled—The committee made the following report & respectfully asked its acceptance & adoption as the laws & boundaries of the District.

Resolved 1st That the District be known as the Yapapei District.

2nd That the District be bounded on the North by commencing at the North end of Point of Mountain Range lying on the West side of the Assamp River, near the headwaters of the Agua Frio River, from thence along the dividing ridge of said Mountain in a southerly direction to a point intersected by the Trail now traveled from Peoples Ranch to what is known as the Tanks on the Assamp River, from thence along the said Trail in a Southerly direction to the South-East corner of what is known as "Webbers Ranch" from thence in a North West direction to Williams Fork River, from thence up the Main Branch of said River twenty (20) miles from thence to the place of beginning.

3rd That any one may locate one claim only on each Lode or Vein of Mineral that may be discovered in the District, & that in addition the discoverer of any Lode or Vein of Mineral shall have a discovery claim.

4th That each claim both by location & discovery be Three Hundred feet on the Lode or Vein and One Hundred feet on each side following the dip of the Lode or Vein.

5th That on locating any claim or taking one up by discovery the party or parties so locating or taking up shall place a notice on said claim in a conspicuous place setting forth the direction in which such claim or claims are taken.

6th That said notice shall hold said claim thirty days from the time of putting up said notice, after which time if there is no record made of said notice the claim shall be deemed abandoned and subject to relocation by any other party.

7th That any person taking up or holding claims in this District neglects to work or does not cause to be worked for the time of Sixty days from the time of recording shall be deemed to have abandoned the same & the claim shall be subject to relocation.

8th That each claimant do or cause to be done three days work on each claim in every ninety from the time of taking up or locating their claim.

9th That in case such claimant shall have done or caused to be done twelve days labor within six months from the time of locating, it shall hold said claim for one year—

10th That there be a Recorder elected for this District who shall be a resident of the District, whose term of Office shall be six months or until his successor is elected, it shall be his duty to record all claims presented to him for record in a book kept by him for that purpose, & that it be his duty, should it be required, to furnish certificate of Record to each one recording a claim or transfer of claim or Bill of Sale. That it shall be the duty of said Recorder to deliver all records of this District kept by him to his successor in office upon presentment of a duly certified certificate of his election by the Miners of the District.

11th That for recording each claim or notice of claim Fifty cents, and for recording deeds of transfer Two dollars and fifty cents. The Recorders book shall be open to the inspection of any person who may wish to examine in the presence of the Recorder or his Deputy. That the Books, stationery &c. necessary for the office shall be furnished by the Recorder at his own expense—

12th The Recorder may appoint any suitable person resident of this District, to act as his Deputy—

The whole adopted.

The meeting then proceeded to ballot for Recorder; G. C. Welch declared unanimously elected for the next ensuing six months—

A. B. SMITH *President*—

GEO. W LEIHY *Secretary*

Adjourned sin die.

YAVAPAI COUNTY.—WALKER MINING DISTRICT.

At a meeting of the Miners of Lynx Creek & vicinity held pursuant to notice on the 24th day of November 1863 at the office of the Recorder, The President T. J Johnson tendered his resignation which was accepted and Capt Bogert was elected chairman.

The Recorder J. V. Wheelhouse tendered his resignation, and an election for the office of Recorder was called after a ballot Mr. V. C. Smith was declared elected.

Upon Motion a committee of five was appointed by the chair to draft Laws to govern the Quartz mines of the District consisting of V. C. Smith Mr. Shoup Cal Dobbins Major McKinney & Mr Sandford

Upon motion a committee of three was appointed to draft new Laws to govern the Placer mines of the district consisting of Cal Dobbins A. Thom Mr. McCrackin as appointed by the chair

The committee appointed to draft Laws for the government of the Quartz Mines of the District submitted the following report.

To the officers and members of the miners meeting held Nov. 24th, 1863, at the office of Recorder Lynx Creek.

GENTLEMEN Your committee appointed to establish boundaries & draft Bye Laws for the government of a Quartz Miners District would most respectfully submit the following Preamble Resolutions and Bye Laws for your consideration

PREAMBLE

Whereas owing to the increasing interest manifested by the Residents & Miners of this locality in Quartz & other Lodes containing metal of value—and to the many & various conflicting and untruthful reports that have originated and spread throughout the land concerning, and to the detriment of the Residents & Miners of this locality be it

Resolved, That we the residents & miners of Lynx Creek & vicinity will under any & all circumstances defend, protect, aid & assist any and all traders & persons whether citizens or not in the prosecution of right & legitimate business while within the jurisdiction of our laws.

Resolved, That we denounce the originators of the many falsehoods, circulated by the faint hearted many who have returned to their shin warming firesides as a set unworthy the name of Pioneers & be it further Resolved, That the boundaries of this Quartz Mining & Mineral district be as follows viz. Commencing at a Bald Mountain near the sink and to the Westward of Lynx Creek running in a Southerly direction following the dividing ridge of the waters of the Agua Frio and Hassayamp Rivers to a large Pine mountain, about thirty-five miles in an Easterly direction from the place of commencement, thence in an Easterly direction to the Agua Frio River, thence up the Agua Frio River following the bed of the stream northerly direction to Woolsey's Ranch, thence in a Westerly direction to the place of beginning, and be it further

Resolved, That the name of this district be known as the Walker Quartz Mining district

BYE LAWS.

ART 1st The officers of this district shall consist of One president and one Recorder Whose term of office respectively shall be six months from the date of the election

ART. 2nd It shall be the duty of the president to preside over and order all meetings, and to conduct the business of the same according to the rules adopted by legislative bodies

ART. 3rd It shall be the duty of the Recorder to act as secretary of all meetings and keep a true & correct record of all claims located and when required shall accompany the person or persons locating claims as a witness of the same & make out all deeds and transfers of claims and take acknowledgements thereto.

ART. 4th The Recorder shall receive for each name appearing upon the notice fifty cents and for each mile traveled by him when required in locating claims provided the same exceeds two miles travel from his office fifty cents per mile and for each deed or transfer the sum of $1.50 The Recorder shall procure the necessary books for his office & turn the same over to his successor

ART. 5th The books of the Recorder shall be open at all times at his office for the inspection of the public.

ART. 6th The Recorder may appoint deputies who shall have the same authority, & whose acts shall be deemed as legal as the principal.

ART. 7th Notices of all meetings shall be posted one week previous to the meeting in three prominent places in the district which notices shall designate the time & place of holding the same.

ART. 8th All claims of Quartz or of lodes containing metal of value shall be two hundred feet along the lode with Fifty feet on each side & all the dips, spurs & angles following the ledge.

ART. 9th The discoverer of a ledge shall be entitled to one claim, which shall be known af the discovery claim, and one by right of pre-emption.

ART. 10th Person or persons locating claims shall post notices and erect monuments either by stakes ditches or furrows or stones or trees at each end of his or their claims which notices shall designate the date of location, amount claimed, names of parties claiming the direction following the ledge as possible with its dips, spurs & angles.

ART. 11th All claims shall be recorded within sixty days from the date of posting notices

ART. 12th Person or persons locating claims shall furnish the Recorder with a true copy of the notice and a specimen of the metal

ART. 13th No claim shall be deemed abandoned or subject to relocation after recording provided three days labor shall be performed on each claim every three months for one year, or if held by a company the number of days labor required for the number of claims held by them may be performed upon any individual claim held by such company upon that particular ledge on & after the 1st day of April next.

ART. 14th None but white persons shall be allowed to hold claims in this district.

ART. 15th All disputes with regard to claims shall be settled by arbitration: The parties disputant each selecting an arbitrator the two arbitrators thus selected, selecting the third, the decision of the arbitrators shall be deemed final

ART. 16th No person or persons shall locate a claim or claims in this district who are non residents, or who are not within the district at the time of its location

ART. 17th No person or persons except the discoverer of a ledge shall hold more than one claim on each ledge discovered except by purchase.

ART. 18th All sales and transfers of claims must be made by deed properly acknowledged, and a note of the same entered upon the books of the Recorder, stating the date amount sold or transferred and to whom so sold or transferred.

ART. 19th Any person or persons or company holding claims who shall have complied strictly with the foregoing by laws for the term of one year from the first day of April next such claims shall be deemed and considered as Real estate & held as such

ART. 20th The amount of labor required to be performed upon each claim or claims for one year may be performed at one & the same time, provided the same is performed within three months from the first day of April 1864, or within three months after recording if recorded on and after said first day April.

ART. 21st Persons acting as arbitrators shall be entitled to a fee of $5 per day which fee must be deposited by the parties calling the arbitration with the President of the District.

ART. 22nd The person or persons losing the suit shall pay the expenses, and the money deposited by the opposite party upon demand returned to them by the President.

ART. 23rd All laws & parts of laws conflicting with these by laws are hereby repealed.

ART. 24th The discovery claim upon each ledge is hereby exempt from the labor required in the foregoing by laws.

At a meeting held On Lynx Creek at McLaughlin Store Sept 16th A. D. 1865 persuant to a call for the purpose of Electing A Presadent and revising the Laws in Said District on motion Mr. J. B. Blanchard was Nominated to Act as Presadent *Pro Tem* of the meeting Mr. J B Blanchard Duely Electid

It was moved and Seconded that A. L. Clough Act as Presadent of Lynx Creek District for the Ensuing Year Mr. A L Clough Unanimously Elected

Moved And Seconded that the Presadent Appoint A Committee of 5 to Draft Laws for the District

Approved Presadent Appointed F. D. Cole B. Franklin A. Douglass A. W. Adams J. B. Blanchard

A. Clough acts as one of the Committee in place of F. D. Cole

Moved And Seconded that We as A boddy Are Empphaticaly Opposed to the Present Territorial Laws Carried Unanamously

Moved And Seconded that A Committee of 3 be Appointed by the Presadent to Draft A memorial to be Presented to the members of the Legislature from this District And Also presented to the Next meeting for its Adoption by the miners of Said District

Committee of 3 Appointed by the Presadent J. Brooks J. E. McCaffre J. Rees

Moved And Seconded that this meeting Stands Adjourned until Sept. 30th A. D. 1865 at 4 Oclock P. M. Carred

SEPT 30th

Meeting Called to Order by the Presadent Moved And Seconded that this meeting Stands Adjourned Until the first Day of October A. D. 1865 Carried

A. L. CLOUGH *Pres.*

F. D. COLE, *Sec*

MINERS MEETING

WALKERS DISTRICT *January* 19th *A. D.* 1866

A meeting held by by the Miners of Walkers District Persuant to A Call by the Presadent A. L. Clough On the 19th of January A. D. 1866 At 5 Oclock P. M. The following was Enacted

Meeting Called to order by the Presadent A. L. Clough It was moved and Seconded that R. E. Elliott act as Presadent (Pro Tem) At this meeting Unanamously Elected

It was Moved and Seconded that the Old Law of this District Requiring no Representation for Placer Mining Claims Is and is hereby Repealed. (Unanamously Repealed)

The following Resolution was presented to the meeting

All persons not at present Residents of Lynx Creek But Elsewhere Engaged in Business and holding Mining Claims on this Creek Shall be Required to Represent such Claims by at least one Days work Every 10 Days or forfeit all Title and the same shall be Subject to Relocation

The present amend ment to the Resolution was excepted Providing that the Law shall not be so construed as to interfere with the present Resadents of this District who may at Present be Absent Prospecting Or procuring Provisions for use in this District

It was moved and seconded that the Resolution as it stands amended be adopted by this meeting as the Law to Placer Mining in this District Unanamously adopted

It was moved and seconded that this meeting adjourn Sinae Die Carried

R E ELLIOTT *Presadent Pro Tem*

F. D. COLE *Secretary*

MINERS MEETING

At a regular meeting held at R. E. Elliott store on the 18th of August A. D. 1866 Persuant to a call by the Presadent of Walkers Quartz Mining District John Rees Presadent

Meeting called to order by Secretary. Presadent being absent

It was moved and seconded that J. McCracken act as Chairman presadent pro Temn carried

Moved and seconded that the Recorder b elected by Ballot carried—

Moved & seconded that we vote whether we elect a Recorder or no Recorder Division of the House Decided to elect a Recorder.

Moved and seconded that S. B. Franklin be nominated for Recorder also R E E Elliott

Balloting for Recorder S. B. Franklin Received 13 votes R E Elliott 10 S. B. Franklin was declared elected of Walkers Quartz Mining District

Moved & seconded the Presadent be Elected by aclimation R E Elliott being nominated was unanimously elected

Moved and seconded to adjourn Mottion withdrawn and J. E. McCaffrey moved and it was seconded that Recorder not be allowed to Record a claim untill he goes on the ground and that he shall receive one Dollar per mile going and coming from the Lod in addition to the regular fee by Law

Moved and seconded that the meeting adjourn Caried

——— ——— *Presadent*

F. B. COLE, *Sec.*

MINERS MEETING—

WALKERS QUARTZ MINING DISTRICT *Feb.* 5th A. D. 1866.

A meeting of the miners of Walker District persuant to a call by the Presadent A. L. Clough on the 5th of Feb. A. D. 1866 at 12 o'clock A. M. for the purpose of electing A Recorder Whose Term of office shall commence on the 26th of February for six months from that date before it expires in accordance with the Mining Laws of said District.

Meeting called to order by the Presadent by A. L. Clough.

Moved & seconded that the Recorder be elected by Ballot Carrid the Presadent and Res were receivers of votes for Recorder and a committee of three was appointed to count said votes cast and their report was as follows—

F. D. Cole 11 votes R. E Elliott 3 Big rump 1 It was committee John Rees, C. Y. Shelton H. Glover

Moved and seconded that the miners Elect a Presadent for the next six months at this meeting by Ballot Carrid John Rees receiving the majority was declared duely Elected his term to commence 17th Day of March A. D. 1866

Moved and Seconded that this meeting adjourn Carried

A. L. CLOUGH *Pres*

F. D. COLE, *Sec*

YAVAPAI COUNTY.—QUARTZ MOUNTAIN MINING DISTRICT.

LAWS.

At a meeting of Quartz Miners held at Lount Cabin on Granite creek December 27th 1863. John West was chosen President and C. M. Dorman Secretary—

The following laws & regulations for the better governing of Quartz Mining, as reported on by the committee, were taken up separtely and adopted.

ARTICLE 1st That this District shall be known & called the Quartz Mountain District, and shall be bounded and described as follows: Commencing at a Bald Mountain known as the North West corner of the Walker District running along the West line of said district to its South West corner. Thence in a North Westerly course along the Divide between the Waters of the Hassayampa and Granite creeks to the Granite Mountain, Thence in a straight line to the place of beginning.

ARTICLE 2nd That this District shall have a Recorder who shall hold his office one year from the time of his election, or until his successor be elected and qualified, and whose duty it shall be to visit examine & measure either himself or Deputy the ground claimed in any notice presented him for Record before recording the same, & shall be entitled to receive one dollar for each claim so recorded and examined

ARTICLE 3rd A claim on any Ledge or Lode of Mineral Rock in this District shall not exceed 300 feet, running with the main Lead, together with (150) feet of ground on each side of the main Lead or Lode with all the Minerals contained therein.

ARTICLE 4th All persons locating ground for Mining purposes on any Metalic Vein or Lode of Quartz or other Rock in this District, shall be required to post a notice on a conspicuous place on the Vein indicating as nearly as possible the direction, & setting forth the number of feet claimed each way from the notice, and the notice of the discoverer or the company containing the discovery claim, shall be the starting point from which all claims subsequently located on the same vein shall be measured.

ARTICLE 5th No person shall be entitled to hold by location more than one claim on the same Vein, except the discoverer, who shall be entitled to two.

ARTICLE 6th Any notice claiming ground for Mining purposes on any Metalic Vein or Lode of Quartz or other Mineral Rock posted according to provisions of Art. 4th of this code, shall be deemed sufficient to hold such claim or claims for the term of sixty days from date of such notice. But after the expiration of sixty days, such notice be not found recorded or filed for record with the recorder of this district, the ground so claimed shall be deemed abandoned & subject to relocation.

ARTICLE 7th All notices claiming ground for Mining on any Metalic Vein or Lode of Quartz or Mineral Rock in this District properly located according to the provisions of Art. 4th of this code, shall be deemed sufficient to hold such ground until the first day of May One thousand eight hundred and sixty-four (1864) But if any claimant or claimants to any ground in this District, located & held as here in above described, shall perform or cause to performed the am't of (6) six days labor to each claim on any part of his or their ground at any time between date of the notice claiming such ground and the first day of May 1864, the same shall be deemed sufficient to give him or them perpetual title thereto; Provided that in case the claimant or claimants are not actually engaged in working the same at the expiration of two years from the time a perpetual title is acquired and certificate to that effect issued by the Recorder; the claimant or claimants shall renew the record in the Recorders Book provided for the purpose—Otherwise the claim to be deemed abandoned & subject to relocation—The amount of labor in all cases to be examined by the Recorder who shall on application visit & examine the ground, & if in his opinion the required amount of labor has been done there on, he shall certify the fact in a note to be attached or written beneath the notice recorded claiming such ground; and for such services he shall be entitled to receive one dollar for each claim so recorded.

ARTICLE 8th Any person or persons holding ground for mining purposes in this District, on and after the first day of May 1864, shall be required to perform or cause to be performed thereon the amount of three days labor to each claim, in every ninety days, and if any person or persons shall comply with the above provisions for the period of one year, he or they shall thereby acquire perpetual title thereto, The labor to be examined and certified to by the Recorder, as provided in art. 7th; Provided always that the labor be performed or record renewed according to Art. 7th of this code—

ARTICLE 9th If any person or persons holding ground for Mining purposes in this District perform or cause to be performed thereon the amount of twelve days labor at any time after the first day of May 1864, Shall thereby acquire perpetual title thereto; The labor to be examined & certified to by the Recorder; And provided always that labor be performed or record renewed as provided in Article 7th of this code.

10th. A miners meeting may be called at any time by posting notices in three conspicuous places in the District, ten days previous to the time of holding the meeting, stating in such notice the object for which the meeting is called, and place of holding the same, all such notices to be signed by the Quartz Miners of the District.

ARTICLE 11th All persons owning ground & residing in this District may vote at any meeting properly called by Quartz Miners. All persons non resident of this District may vote by proxy; provided they hold at the time of such meeting one claim in the District.

ARTICLE 12th The Recorder shall furnish at his own expense all books necessary for the recording of claims deeds of transfer &c. pertaining to his office, and keep the same open to the inspection of the public; and turn them over to his successor in office free of charge

ARTICLE 13th An election shall be held on the first Monday in December of each year for the purpose of choosing a Recorder. A majority of the votes cast by ballot to elect. The Recorder so elected to commence his duties and take charge of the Books on the first Monday of January after his election.

ARTICLE 14th In case of the death or resignation of the Recorder, an election shall be ordered as provided in Art. 10th of this code for the choosing of a Recorder to fill his unexpired term of office.

ARTICLE 15th It shall be the duty of the Recorder to enter on the books for recording claims; underneath the notices, the name of the person who has examined such claim for record.

ARTICLE 16th All Laws or parts of Laws heretofore in force in this District, pertaining in any way to Quartz Mining, are hereby repealed.

ARTICLE 17th These laws shall be in force from & after the date of their adoption.

On motion of Geo. Lount—A. O. Noyes was put in nomination for recorder and unanimously elected.

We the undersigned committee appointed to draft and report By-laws & regulations for the better government of Quartz mining in Quartz-Mountain District, having examined the foregoing Laws, do certify to them as a true & correct copy of the Original Laws as adopted at the meeting called for that purpose Dec. 27th 1863.

(Signed)

A. O. NOYES
E. M. SMITH
GEO. LOUNT.

YUMA COUNTY.—EUREKA MINING DISTRICT.

MINERS MEETING HELD AT WILLIAMS CAMP COLORADO RIVER A. T. JANUARY 2ND A. D. 1864.

Pursuant to a call made in the usual way by notices ten days notice previously posted the Miners of this section met at Williams camp on the 2nd day of January A. D. 1864 for the purpose of forming a new mining District and passing a code of By-laws by which the same shall be governed. On motion the meeting was called to order by appointing J. W. Hanford chairman and Jas S. Spann secretary of the meeting—When the following resolutions were unanimously adopted—

1st That this shall be called Eureka Dist. and bounded as follows (to wit) begining at Joe Johnsons Gulch on the Colorado River, then running up the river to Rode's Ranch and extending back at right-angles from the River at each of the above points 12 miles, thereby including all country within 12 miles of the Colorado River between Johnsons Gulch and Rodes Ranch.

2nd. That the following shall constitute the by-laws by which all mining claims in this District, shall be held and governed.

See mining laws of Eureka district—marked T.

MINING LAWS OF EUREKA DISTRICT. PASSED JANUARY 2ND 1864.

ART. 1 That a claim in this district shall consist of 300 feet along the tracings or croppings of the Lode including all dips angles and spurs, with the right of way of fifty feet on each side of the Lode for the erecting of machinery, Building or any other purpose pertaining to the working of the Lode claimed

ART. 2nd That the discoverer of a Lode in this District shall be entitled to an extra claim for the right of discovery—But in no case shall a locator be allowed more than one claim on the same Lode unless he be the discoverer—

ART. 3rd When a location is made the locator shall erect three monuments along the tracings of the Lode not less than 200 feet apart & at least 18 inches high with a notice in the centre specifying the date of location names of claimants and no. of feet claimed.

ART. 4th When an extension is claimed on a Lode the person or persons thus locating shall trace the Lode outside the original discovery claims Then place monuments and notices as required in article 3rd—

ART 5th—That each company shall required to have their claims Recorded within 30 days from the date of locating their Lode in the Books of the District Recorder—

ART. 6th That each company shall sink shaft Runn cut or tunnel five feet in depth within 90 days from the date of Record which shall entitle them to hold the same without further work for 12 months from the date of locating.

ART. 7th That all claims in this District held by purchase or location shall be placed on Record for public inspection.

ART. 8th That there shall be a District Recorder elected whose term of office shall hold for one year

ART 9th That it shall be the duty of the Recorder to go upon the Lode with the locator, take minutes of and observe particularly the tracings monuments and boundaries of the claim so as to place the same on Record in a plain & compre-hensible manner, and in no case shall the Recorder make Record of ground where there has been a prior location Recorded by other parties (without first notifying all parties concerned of the fact)

ART. 10th That the Recorder shall keep his office and Books in the most central & convenient, to the mines in the District where the Records shall be free to inspection at all times, But in no case shall he allow the Books to go out of his office unless in the hands of himself or Deputy nor in any other way give opportunity for tampering with the Records.

ART. 11th That the Records shall be kept in a neat and legible style and the Recorder shall be entitled to fifty cents for each claim Recorded and fifty cents milage, when the distance traveled is over two miles from his office—

ART. 12th That the Recorder shall copy the proceedings of this meeting in the Book of Records together with the names boundaries and laws of the District, and shall deliver into the hands of his successor all the Books papers & Records of the District when his term of office shall have ex pired.

Art. 13th That whenever it shall be come necessary to call a meeting of the miners of the District, for any purpose pertaining the interest thereof it shall be by petition to the Recorder signed by not less than 12 Resident claimants of the District when it shall be the duty of the Recorder to post not less than three notices in the most conspicuous places within the District, Ten days prior to the day of meeting.

Art. 14th That it shall be the duty of the Recorder to furnish every claimant a certificate of Record (If required) For which he shall receive 25 cts And also to copy into the book of Records all claims that may have been Recorded in Castle Dome District prior to the date of this meeting free of charge at the request of claimants—

Art. 15th That all prior locations shall be placed on Record within 30 days from the date of this meeting.

J. W. HANFORD *Pres*

Jas S. Spann *Sec*

At the regular anual meeting of the miners of Eureka Mining District at the District Recorders office in the town of Wms port A. T. on the 2nd day of January A. D. 1865—The meeting organized by appointing P. Hovey President and J. S. Spann sec. of the meeting.

On motion the minutes & proceedings of the last meeting were read and approved as herein after specified when the following set of Resolutions and additional by-laws for the government and Representation of mines in this District were offered and adopted—to wit

Resolved That Article nine of the by-laws of this District be amended so as to read as follows In no case shall the recorder make record of ground where there has been a prior location Recorded by other parties unless the same shall have become vacant and subject to re-location in accordance with the laws of this District.

Resolved That if at the ex piration of twelve months from the date of location a claim in and under the laws of this dist. shall not be further represented either by work or the personal presence of some owner thereon the same shall be and is hereby declared vacant and subject to re-location—

Resolved That all claims previously located and properly represented up to date of this meeting shall hold good for twenty-four months from date of location by the owners thereof ex tending their old shaft, cut or tunnel to adepth of eight feet within ninety days from date of this meeting

Resolved That a twenty foot shaft, cut or tunnel sunk on a claim prior to the 2nd day of January next and since the formation of this district shall entitle the owners there of to hold the same for a term of three years from date of location.

Resolved That all parties in complying with one or both of the foregoing resolutions shall be required to have their shaft, cut or tunnel masured by the Dist. Recorder and registered in the book of locations upon the margin of the same page on which the claim is recorded and that the fees of the recorder for such service shall be fifty cents for each name including a certificate of registration to each locater and describing the claim as recorded in the book of Records—

THOMAS EVANS, *chairman Com't.*
THOMAS WILLIAMS
NICH WILLIAMS
JAS McINTOSH
M. McKENNA *sec.*
Committee to draft Resolutions

On motion the above report of the Committee was unanimously adopted as the laws of this Eureka Mining dist. When the meeting proceeded to elect a Recorder by ballot which resulted in the election of *J. W. Hanford* of Mineral City Weaver Mining Dist. A. T.

On motion meeting adjourned *sine die*

P. HOVEY *President*

Jas S. Spann *Sec.*

Notice.

Williamsport *Dec.* 20th 1865

The Anual meeting of Eureka Mining district A. T. will be held at the Dist. Recorders office on the 2nd day of January next at 2 Oclock P. M. Also an election for Dist. Recorder at the same time and place

J. W. HANFORD *Recorder*

In pursuance of the above notice the miners met and organized by choosing P. Hovey chairman and J. W. Hanford Secretary

By Jas. S. Spann

Resolved That we abolish the District organization

So adopted

Resolved That the Books of record of this Eureka Mining District A. T. be left in the care of Jas S. Spann not to be removed from the district—

So adopted

On motion the meeting adjourned *sine die.*

Williamsport Jany 2nd 1866

J. W. HANFORD *Secretary.*

MARICOPA COUNTY.—WICKENBURG MINING DISTRICT.

LAWS OF THE WICKENBURG MINING DISTRICT ARIZONA TERRITORY.

ARTICLE 1st. This district shall embrace all the ground from which the waters flow to the Hassayampa River South of the Red Cannon situated ten miles South of Weaverville ex tending South to the White Tanks, and shall be known as the Wickenburg District.

ART. 2nd This District shall have a Recorder who shall hold office for one year from the time of his election, or until his successor shall be elected & qualified & he shall be entitled to receive one dollar ($1.00) for each claim recorded.

ART. 3rd A claim on any Metalic Vein or Lode of Quartz or other rock in this District shall be three hundred feet (300) running with the dips, spurs & angles of the lode together with one hundred and fifty feet of ground on each side next to the lode with all minerals therein contained

ART. 4th All persons locating ground for Mining purposes on any Metalic Vein or Lode of Quartz or other rock, in this district, shall be required to post a notice in a conspicuous place on the Vein indicating as nearly as may be practicable its direction, & setting forth the number of feet claimed each way from the notice, and the notice of the discoverer or of the company claiming the discovery claim, so posted, shall be the starting point from which all claims subsequently located on the same Vein shall be measured.

ART. 5th No person shall be entitled to hold by location in this District more than one claim on the same Vein, except the discoverer who shall be entitled to two.

ART. 6th Any notice claiming ground for mining purposes on any Metalic Vein or Lode of Quartz or other rock in this District, posted according to the provisions of Art. 4th of this code, shall be deemed sufficient to hold such ground for the turm of thirty days from the date of such notice; but if after the exparation of thirty days such notice be not found recorded or filed with the Recorder for record, the ground so claimed shall be subject to relocation.

ART. 7th Any claimant or claimants to any ground in this District, located & held as herein above provided, shall perform or cause to be performed the amount of five days labor to each claim, on any part of his or their ground at any time between the date of the notice claiming such ground and ninety days thereafter shall be deemed sufficient to hold the same for the turm of one year from date of record.

ART. 8th A Miners meeting may be called at any time in the District, by posting notices in three of the most public places (5) five days previous to the time for which the meeting is called, by the recorder at the request of three miners of this district, stating the object for which the meeting is called and designating the time & place of holding the meeting.

ART. 9th No person shall be allowed to locate any claim on any Metalic Vein or Lode of Quartz or other rock in this district for any non resident of this Territory.

ART. 10th All persons owning mining ground and recorded in this District shall have a vote—

ART. 11th Any Water privlidge taken up in this District by notice & recorded, shall hold good for the turm of one year from date of record.

ART. 12th All laws or parts of laws heretofore in force in this District, pertaining in any way to Quartz mining are hereby repealed.

ART. 13th These laws shall be in force in this District from & after there passage.

Adopted May 21st 1864.

Jas. A Moore was elected recorder May 21st 1864

HENRY WICKENBURG *President*

JAS A. MOORE *Secretary*

YAVAPAI COUNTY.—WALNUT GROVE MINING DISTRICT.

LAWS & REGULATIONS.

ART 1. This Dist shall be known & called the Walnut Grove Quartz mining Dist & shall be bounded as follows, on the North by the Hassiampa Dist & on the East by the Aqua Frio river running down the said river 30 miles or more thence West across to the Hassiampa to where the wagon road leaves that stream to Los Pimos & thence North from Los Pimos on the line of the Weaver Dist to the place of beginning—

ART 2d This Dist shall have a recorder who shall hold the office for one year from the time of his election or until such time as his successor shall be elected & qualified & whose duty it shall be to visit, examine & measure either himself or his deputy the ground claimed in any notice presented to him for record, before recording the same & shall be entitled to receive one dollar for every claim so examined & recorded & shall also receive fifty cents (50c) per mile from the place of his residence to the place of the location to be recorded.

ART 3d A claim upon any ledge or lode of mineral rock shall not exceed three hundred feet (300) running with the main lode together with one hundred & fifty feet (150) of ground on each side of the main lode with all the mineral contained there in

ART 4th All persons locating ground for mining purposes on any metallic vein or lode of quartz or other rock in this Dist shall be a *sitizen* of the United States & shall be to post a notice in a conspicuous place on the vein indicating as nearly as possible the direction & setting forth the number of feet claimed each way from the notice & the notice of the discoverer or the company containing the discovery claim shall be the starting point from which all claims subsequently located on the same vein shall be measured

ART 5th No person shall be entitled to hold by location on the same vein except the discoverer who shall be entitled to two claims—

ART 6th Any notice claiming ground for mining purposes on any metallic vein or lode of quartz or other mineral rock posted according to Article 4th of this code shall be deemed sufficient to hold such claim or claims for the period of sixty (60) days from the date of such notice, but if after the expiration of sixty (60) days such notice be found not recorded or filed for record with the Recorder of this Dist the ground so claimed shall be deemed abandoned & subject to relocation—

ART 7th All notices claiming ground for mining purposes on any metallic vein or lode of quartz or other mineral rock in this Dis't properly located in this Dis't according to the provisions of art 4 of this code shall be deemed sufficient to hold such ground & give them perpetual title thereto.

ART 8th A miners meeting may be called at any time for the purpose of amending or changing the laws of this Dis't by posting notices in three (3) conspicuous places in this Dis't ten (10) days previous to holding such election after publishing the same for three (3) months in any paper published in this Territory stating in said notice the object for which said meeting is called & the place of holding the same all such notices to be signed by ten quartz miness of this Dis't—

ART 9th All persons owning ground & residing in this Dis't may vote at any election properly called. All persons non residents of this Dist may vote by proxy provided they hold at the time of such meeting one (1) claim in this Dis't.

ART 10th The Recorder shall provide at his own expense all books necessary for the recording of claims deeds, transfers &c pertaining to his office & keep the same open to the inspection of the public & turn them over to his successor in office free of charge—

ART 11—An election shall be held on the first Monday in December of each year for the purpose of electing a recorder a majority of votes cast by ballot to elect the same who shall commence his duties & take charge of the books on the first Monday in January after his election—

ART 12—In case of the death or resignation of the Recorder an election shall be ordered by posting three (3) notices in conspicuous places in this Dis't ten (10) days previous to the time of holding said meeting—

ART 13—It shall be the duty of the Recorder to enter on the books for recording claims underneath the notice the name of the person who examined such claims for record—

ART 14—All laws or parts of laws heretofore in force in this Dis't pertaining to Quartz Mining are here by repealed—

ART 15—These laws shall be in force from & after the date of their adoption—

The above is a true copy of the laws in the Walnut Dis't as adopted & now in force—

F. M. LARKIN *Deputy Recorder*

WALNUT GROVE *May* 21st 1864—

YAVAPAI COUNTY.—BRADSHAW MINING DISTRICT.

TRANSCRIPT OF THE RULES LAWS & REGULATIONS OF THE BRADSHAW MINING DIST HELD SEPT 14TH 1864 AT MONTEZUMA CITY ARIZONA TERRITORY

At a meeting of the miners of Bradshaw Dist in the Territory of Arizona on Turkey Creek Mr Moore was called to the chair & Dr George M Willing appointed Secretary of said meeting—The following proceedings were then & there had—

The Dist was declared to be ten miles square commencing from a monument in the town of Montezuma on Turkey creek & radiating from said monument in each & every direction five miles, which was in open meeting declared to be the boundaries of said mining Dist of Bradshaw—

On motion Mr M Solomon was nominated & by acclamation elected President of said Dist for the term specified in the rules laws & regulations—

On motion Dr George M Willing was nominated & duly elected Recorder for the term specified in the said laws & regulations of said Dist—

NAME AND STYLE

ART 1st The name style & title of this District shall be "The Bradshaw Mining District of Arizona Territory—

OFFICERS

ART 2d SEC 1 The officers of the said Bradshaw Mining Dist shall be composed of a President & Recorder—

SEC 2d—It shall be the duty of the President to preside at all meetings of the miners & faithfully cause the laws rules & regulations of said district to be faithfully enforced & until the Government of the United States shall by act of Congress or otherwise establish laws regulating the same. The President shall be ex officio Judge of the miners court before whom all causes relating to the mines shall be tried & shall hold his office for the term of one year or until his successor is duly elected & qualified.

SEC 3d In the abscence or death of the President the Recorder shall perform the duties pertaining to the office of President.

SEC 4th It shall be the duty of the Recorder to keep a true & correct record of all mining lots claims, discovery lots & building sites or lots or parcels of ground enumerated herein in a book set apart for that purpose He shall also in person or by deputy bound & number all mining claims or lots & parcels of ground as set forth in these laws rules & regulations & give to said claimants a certified copy of same on payment of fees. He shall also be ex officio clerk of the miners court & shall keep a seal of his office—The said Recorder as compensation for such services shall be entitled to the following fees—

For recording a surface or wash digging	one dollar
" " " placer	one dollar
" " " ledge or lode claim	one dollar
" " " mill site or lot claim	five dollars
" " all other claims not enumerated	one dollar
" " Deeds & mortgages	Two dollars & a half
" each transcript	" " " "
" affixing seal of office	25 cts
" administering oath	25 "
" Each summons & supœna	25 "
" Each certificate	25 "

On the fourteenth day of September 1865 & on the fourteenth day of each succeeding year in September there shall be held an election for the officers of this District which election shall be by ballot—

Any five persons present & qualified voters under these laws rules & regulations may appoint a Judge of said election which Judge shall appoint two clerks & proceed to receive the votes of the miners for the several officers to be elected—

No person shall be a voter at any such election after the 14" day of September 1864 unless such person shall have resided in this District thirty days prior to the day of said election—And no person shall be entitled unless such person is connected or associated with some mine in this Dist & provided further that no person shall be entitled to vote by proxy—

It shall be the duty of said clerks at each election held within this Dist record the names of each voter & mark upon the ticket the number of such ballot in plain figures each clerk keeping a separate list of names & votes & at the close of the ballot box to record the votes counted by the Judge of said election in the presence of three witnesses—One copy of which record of both names & votes shall be filed with the Recorder & one copy with the President of said Dist

ART 4—SEC 1—Each person within this Dist shall be entitled to hold the following claims as hereinafter described in section 2 Art 4 The working of one of said claims shall be evidence of the working of all & shall hold the same as if all were worked. Provided

however that each & every discovery claim or lot & one *pré emtion* lot or claim by location near said discovery which said claims of this class shall be held inviolate to the discoverer whether worked or not or whether it shall be one or the other of the claims as enumerated in sec 2 art 4 to wit

SEC 2—One discovery claim of all kinds.....300 ft square
One claim by location.....300 " "
One Placer or Surface claim.....300 " "
One Hill claim.....300 " "
One Lode or vein or ledge of Gold Silver, Copper, Tin or other metal of value, on each and every lode or vein discovered.....300 " "
One lot for building purposes 50 ft x 150 feet—
One water claim 300 yards square—
One mill site for each mill or reducing works—one hundred yards square—provided however that no person or persons shall take up any claim within this dist for Agricultural or Horticultural or Ranching purposes to the exclusion of mining operations—Nor shall such claimant or claimants of such lands or parcels of land hold the same only under the laws rules & regulations of this Dist & the same may be taken up as mining claims by the miners thereof—Provided however that all improvements of value on such lands or parcels of land shall not be interrupted or damaged, but where a valuable mine is known to exist & any such improvements be thereon the damages shall be assessed by three disinterested persons & the claimant of such mine shall pay to the owner of such improvements the assessed value of such damages—

ART 5 SEC 1—Two or more persons may form themselves into a company for the more perfect & profitable working of their claims & said company or companies shall be protected & defended as provided for each & every individual miner. Said company or association may take up & hold a claim of one of all the afore mentioned classes of claims for each & every member of said company & for each operator in their employ & that may be duly employed by said company or companies in the working of said claims as specified in Art 4 Sec 2 Each company or companies shall have the right of all discoveries made by them as single miners with right of way for roads, sluices, mills tunnels or other operations necessary for mining purposes & shall be privileged to record & hold their claims under the title & name of their company or companies or association of persons—Any miner or company of miners may in addition to the grants specified in these laws rules & regulations of this mining Dist acquire and retain by transfer or device, purchase any claim or claims transferred by any miner in this Dist or persons holding claims therein and said transfers shall be by deed conveyed & acknowledged before the Recorder of said Dist or other officer qualified to take acknowledgements & recorded by him. And when the party or parties reside without the Dist then such transfer shall be acknowledged before any Judge of any court of record in the United States or the Territories & the same shall be recognized by this Dist as valid & admitted to record—

ART 6th—These laws laws rules & regulations may be altered & repealed only in the following manner to wit—

Any eight persons members of said dist may petition to the President thereof, to call a special meeting of the miners or at their regular sittings, stating for what purpose in full & upon the receipt of such petition the President shall cause six notices to be put up in the most public places of the dist ninety days before the day of calling the miners together for such meeting to take into consideration only the subject matter contained in said petition & the same rules shall be applied to all such meetings as is applied to voters in this Dist, each member thereof to be a qualified voter. And then & there it shall be determined whether the matter contained in such petition shall be acted on—And provided further that no other matter or subject relating or appertaining to the miners shall be acted upon in said meeting unless two thirds of the miners of this dist shall consent to the same & are present at said meeting & provided further that such alteration change or repeal of any law rule or regulation shall not affect in any manner whatever any claim or claims or right, of any description whatever owned or claimed by any person or persons under the existing laws of this Dist prior to the said alteration, change or repeal of the same—

ART 7—Every miner shall be considered as a representative of said Dist & shall be entitled to a seat in said meeting provided he is a citizen of the United States of America & qualified under these laws, & it shall be the duty of the clerk to keep a correct list of the names of such miners alphabetically & call the names upon the roll the same as if it were a regular constituted legislative body & when also it is requested byany member, & also to note absentees. And it is further provided that the Recorder shall be ex officio clerk of all such miners meetings with power to appoint a clerk when the said Recorder shall presidi

AMENDMENT—It is further provided that on account of the danger apprehended by depredations of Indians & the safety of the mining community no person or persons shall be compelled to work any mine for the space of one year commencing from the 14" day of September 1864 to the 14" day of Sept 1865—

These laws, rules & regulations to be in force from & after their passage—

I do hereby certify that the foregoing laws rules & regulations were passed & approved in meeting by the miners assembled in the Bradshaw Mining Dist Arizona Territory Sept 14" 1864

MAX SOLOMON *President*

TERRITORY OF ARIZONA
Montezuma City ss

RECORDERS OFFICE
The Bradshaw Mining Dist

I. George M Willey, Recorder for & within The Bradshaw Mining Dist do hereby certify that the above is a correct copy of the foregoing laws rules & regulations of the Bradshaw Mining District

Given under my hand and seal of office this 14th day of September 1864

GEORGE M. WILLEY *Recorder*

[Private seal × no public seal provided.]

YAVAPAI COUNTY.—AGUA FRIO MINING DISTRICT.

LAWS OF THE AQUA FRIO MINING DISTRICT.

At a meeting of the undersigned citizen miners held Jan. 11th A. D. 1865 at the point on the Aqua Frio known as the Beaver Dams, the following rules & regulations for governing this Mining District were adopted.

SEC. 1st This District shall be known as the Agua Frio District.

SEC. 2nd The boundaries of this District shall be as follows—On the North by Bradshaw, Turkey Creek and Walnut Grove Districts. Thence running southward along the eastern line of the Wickenburg District fourty miles. Thence east ward fourty miles crossing the Agua Frio at or near the Frog Tanks, thence north fourty miles, Thence westward, to the south east corner of the Bradshaw district.

SEC. 3rd There shall be one recorder elected for this District who shall hold his office one year from the present date, whose duty it shall be to keep a faithful record of all claims of mineral or auxiliary lands and other documents filed with him for record.

SEC. 4th The recorder shall receive for his services one dollar for each claim recorded, & one dollar for each certificate of record.

SEC. 5th All claims shall be numbered each way from the discovery claim.

SEC. 6th The Territorial law for the registry & government of minerals & mineral deposits is hereby adopted. to its full intent and effect.

SEC. 7th These laws shall remain in force until changed by a meeting called for that purpose consisting of not less than twenty interested miners.

SEC. 8th It shall be the duty of the recorder to call a meeting when requested by seven or more interested miners of the District and no meeting shall be considdered legal unless called by the Recorder who shall give due notice thereof.

SEC. 9th On motion Milton Hadley was unanimously elected Recorder of the District.

MILTON HADLEY	N. L. GRIFFIN	ALFRED ZIMMERMAN
N. P. PIERCE	W. R. BASHAM	W. F. BANNING
G. W. SMITH	JESUS MUNGUIS	JOSEPH LENNON
G. JOHNSON	SIMON ROBLEZ	
GEORGE CLINTON	JESUS OTARO	

JOSEPH LENNON *President*

MILTON HADLEY *Secretary*

YAVAPAI COUNTY.—TURKEY CREEK MINING DISTRICT.

RECORD OF DISTRICT MINING LAWS.

At a meeting of the miners of Turkey Creek Quartz Mining District, Territory of Arizona, held at the office of the Mining Recorder on the 28th day of January A. D. 1865, T. J. Arnold called to the chair & Henry Clifton acting as secretary, when the following resolutions were submitted & adopted—to wit:

1st *Resolved,* That the Territorial mining law shall govern the mines of this District, provided that each claim or pertenencia shall be numbered each way from the discovery claim 1, 2, 3, &c. North South East or West (as the case may be) each claimant holding the ground on the vein corresponding to the number opposite his name.

2nd *Resolved,* that the miners of this District shall meet at the office of the mining Recorder on the 1st day of June of each year and elect some suitable person as Recorder who shall hold said office until his successor shall be elected & qualified, at which time he shall be required to deliver to his successor in good order, & without fee, all the books & papers in any wise pertaining to said office.

3rd *Resolved*—that the recorder of this District for performing the duties required by section 19 of the Territorial Mining Law shall be entitled to receive the following fees; to wit: For each mine actually visited measured described & recorded by him or his deputy (50) Fifty cents per mile going and returning, and one (1.00) dollar for each claim or pertenencia contained in such mine. For recording description of auxiliary tract ($2.50) two dollars & fifty cents. For performing the duties required of him by section 28 of the Territorial Mining Law he shall receive fifty cents per mile going & coming to & from the mine, with one dollar for pertenencia contained in such mine.

4th *Resolved*—that all laws or parts of laws heretofore in force in this District in any wise conflicting with the provisions of the Territorial Mining Law, or these Resolutions, are hereby repealed.

T. J. ARNOLD *President*

HENRY CLIFTON *Secretary.*

TURKEY CREEK QUARTZ MINING DISTRICT
Yavapai County, Territory of Arizona, January 28 *A. D.* 1865.

Recorded January 29th 10 oclock a. m. A. D. 1865

CHARLES TAYLOR *Recorder*
By HENRY CLIFTON *Deputy*

YAVAPAI COUNTY.—BIG BUG MINING DISTRICT.

In pursuance to a notice a miners meeting was held at Boggs & Companys camp on Big Bug Creek in the Woolsey Mining district county of Yavapai Territory of Arizona Feb. 7th 1865 There being a large majority of the miners of the district present the following business was transacted.

On motion Jackson McCracken was duly installed into the chair and J. M. Boggs elected secretary.

The following resolutions were introduced & unanimously adopted as laws regulating the mining interests of the district.

Resolved, That the name of this district shall be known hereafter as the Big Bug Mining district.

Resolved, That a new Recorder shall be elected for this district.

Resolved, That the Recorder be allowed the sum of 50 cents a mile, where the distance exceeds two miles, going to a mine or mines; for recording and returning from a mine the recorder shall receive no compensation for milage.

Resolved, That the recorder be instructed to number all claims located in this district from the discovery claim.

Resolved, That all claims located in this mining district shall not exceed two hundred feet on any Quartz ledge, vein or Lode excepting the discoverer or discoverers, who alone shall be entitled to locate one claim by preemption and one for discovery.

Resolved, That the mining law passed by the Legislative assembly of the Territory of Arizona, concerning the locating of auxiliary land for mining & mill purposes, be adopted.

Resolved, That all claims on Quartz ledges, Veins or Lodes, taken up or located and recorded prior to the date of this meeting, in the name or names of females in this district, shall be considered legal and valid, and their rights to said claim or claims shall be respected in the same manner and form that the laws of this district extend to males.

Resolved, That the recorder be instructed to hold his office in the most populous section of this mining district.

Resolved, That all laws passed and adopted by previous miners' meetings held in this district shall be declared null & void and of no effect whatever, such laws conflicting with acts and resolutions passed and adopted by this meeting.

Resolved, That any claim or claims located in this district, shall be placed on record within thirty days after discovery, or such claim or claims shall be liable & subject to re-location by other parties.

Resolved, That whenever the recorder be requested by five or more miners of this district to call a miners meeting he shall proceed to have three public notices posted in the most conspicuous places in the district, and specify the motive & object for which the meeting shall be called for.

Resolved, That the proceedings of this meeting shall be published in the "Arizona Miner."

John H. Marion was nominated and elected by acclamation Recorder of the district.

The following was offered and unanimously adopted:

Resolved, That the newly elected Recorder Mr. John H. Marion, be instructed to pursue a legal course in securing all books records or papers belonging to this district.

On motion the meeting adjourned sine die—

JACKSON McCRACKEN *President*

J. M. BOGGS *Secretary*..

BIG BUG & *Feb.* 7th 1865.

YAVAPAI COUNTY.—BRADSHAW MOUNTAIN MINING DISTRICT.

MINING LAWS.

In pursuance to notice a meeting of miners of Bradshaw mountain was held Oct 24th 1870 at the mining camp of Messrs Taylor McCracken & Co for the purpose of organizing a mining District & enacting laws for the Government of the same—

On assembling M Taylor was elected chairman who explained the object of the meeting & appointed McMorris, Geo Monroe & Samuel Boll a com of three to draft a code of mining laws for the Dist, describe its boundaries & give it a name—

After a short abscence the com presented to the meeting the following report—

ART 1 That this Dist be known as Bradshaw Mt Dis't & bounded as follows, on the north by Turkey Creek Dist, on the west by Bradshaw Dist on the south by Pine Grove Dist & on the east by Black Canon Dis't—

ART 2 That this Dist elect a Recorder whose term of office shall be one year from date of election & whose duties shall be to make true & correct entries of notices of mining & all other claims left with him for record in good & suitable books expressly for that purpose, said books of record to always be kept in the possession of the Recorder & subject to inspection to all persons when calling at proper office hours.

ART 3 The Recorder shall receive as compensation for his services the following fees viz— Recording mining & all other claims one dollar for each name & will be required to give a certificate of record to all persons requiring the same, by paying for each certificate one dollar—

ART 4—Any six miners by giving three days notice regularly posted at conspicuous places at different mining camps in the Dis't, can call a regular miners meeting & it will be the duty of the Recorder to act as Secretary of all regularly called miners meetings—

ART 5—No person will be allowed to vote at miners meetings except those owning interest in the Dis't—

ART 6—A claim of any Gold, Silver, Copper, Lead or other metallic quartz or rock on any leade, lode, or ledge, or deposit shall be two hundred feet by pre emption & two hundred feet additional for the right of discovery together with all dips, spurs, angles & variations, and seventy-five feet on each side of the Leade, lode or ledge so claimed, for working & mining purposes—

ART 7—Any person or persons discovering any Leade, lode ledge or deposit of Gold, Silver, Copper Lead or Clay & claiming the same will be required to erect a monument on the Leade with notice naming the leade stating the number of feet claimed describing as near as possible its general course & locality—

ART 8—Any person or persons locating any Leade, lode or ledge or deposit of Gold Silver, Copper, Lead or other metallic bearing quartz rock or clay will be required to file a notice with the Recorder for record within ten days after such location or locations—

ART 9—A monument upon any leade, lode ledge or deposit will be sufficient to hold an individual or company's claim six months from the date of record—

ART 10—A shaft or Tunnel of ten feet on the leade lode or ledge of any individual or company's claim will be sufficient to hold the same one year from the date of record & a shaft or tunnel of twenty feet on the leade lode or ledge on any individual claim or company's will be considered a permanent title & not subject to relocation—

ART 11—Any individual or company not worked for one year from the date of record will be declared abandoned & subject to relocation—

ART 12—Any reasonable amount of ground not exceeding ten acres & taken in a body can be located for a mill site for milling & mining purposes together with wood timber & water on the same & must be recorded giving its proper boundaries

ART 13—No person or company can nor shall in any way obstruct the free access to or from any individual or company claim (mining) nor infringe in any way by cutting wood or timber on ground allowed each side of leade for working & mining purposes—

ART 14—Water claims for milling & mining purposes can be located upon any gulch ravine or spring including & claiming the entire amount of water running in such gulch or ravine to the point of location & amount of water afforded by such spring if actually

necessary for milling & mining purposes by the person or company so locating & no person or company can in any manner make subsequent locations of water privileges that will in any way affect or *diminish* water previously located. Water privileges must be recorded with description of their locality & boundaries of claims—

Art 15 A lot on any town site in this Dist shall be one hundred feet square & subject to preemption & must be recorded—

Art 16—Grounds for agriculture or garden purposes can be located by filing notice with the Recorder giving the boundaries & location provided such location does not in any manner interfere with the free access to or from any mining claims or interfere with or *diminish* any water claimed & required for milling & mining purposes—

Art 17—The rights of miners, for milling, mining & working purposes shall have preferance over all other rights.

MACK MORRIS
GEO MONROE
SAMUEL BALL
Committee

On motion the report was received & the committee discharged—
On motion Mack Morris was elected recorder for the Dis't.
No more business being before the meeting it was adjourned sine die

McMORRIS—*Sect'y.*

MOHAVE COUNTY—HUALAPAI MINING DISTRICT.

Soldier Springs *Nov* 4″ 1870

In pursuance with notice a meeting of the claim holders assembled at Soldier Springs on the 4″ day of November 1870 & on motion of Mr O Key, James Fleming was chosen President & Henry Hardy Secretary

On motion of Mr Dunkel a committee of three consisting of Messrs Hardy, Hoffner & Fleming were chosen to draft a new set of laws to govern the Dist on & after this date—

On motion all laws, rules & regulations heretofore adopted are hereby repealed & declared null & void—

The committee appointed to draft a new set of laws to govern the Dist reported the following which upon motion of Mr Fee were adopted to wit.—

Art 1st This District shall be known hereafter as the "Wallapi Mining Dist" & shall be bounded as follows to wit—"Commencing at Beals' Springs & running thence along the Prescott & Mohave Toll road westerly ten miles, thence up the Sacramento Valley centeraly with the river range of mountains thirty miles, thence East twenty miles, thence down the Wallapi Valley to road & thence to Beal's Springs"—

Art 2d Each locator of a claim upon any mineral bearing vein or lode shall be entitled to 200 feet in length & one hundred & fifty feet on each side, if not conflicting with any other parallel leade or lode & each discoverer of any vein or lode shall be entitled to 200 feet additional—

Art 3—All locations shall be plainly marked by stakes or monuments & notices posted defining the boundaries & containing the name of the claimants & number of feet claimed—

Art 4″ All claims located from the first of October 1870 to Nov 4″ 1870 shall be duly recorded by the 15″ of November 1870 & all claims located after the 4″ day of Nov 1870 shall be recorded within ten days after location & as soon as the notice is filed it shall be considered recorded—

Art 5″ It shall be the duty of the Recorder to keep in a suitable book or books a full record of the proceedings of all meetings free of charge, and to place on record all locations brought to him for record, where such location does not interfere with or affect the rights or interests of others, provided he shall receive the sum of fifty cents for each location of 200 feet—

Art 6″ The Recorder shall not recognise any location of any character made prior to the first day of Oct 1870—

Art 7″ The Recorded shall be required to visit every location made, prior to recording the same & see that the boundaries are well defined by good & substantial marks & shall receive there fore the sum of fifty cents per mile to be computed from O Key or Whitney Springs—

Art 8″ In case the Recorder neglect to perform any act required of him by these laws he shall forfeit his office, provided that three notices be posted calling a meeting giving at least two days notice signed by three claim owners—at said meeting the parties agrieved shall submit their charges & if sustained by a majority of those present the office shall be declared vacant & his successor shall be immediately elected—

Art 9″ Each & every claim holder shall be required to put at least two days work upon each location for every two hundred feet claimed within ninety day's after recording—And after the expiration of said ninety days each & every claim holder shall be required to put at least one day's work upon each location for every two hundred feet claimed every thirty days, until the depth of thirty feet is sunk on the location—after the depth of thirty feet is sunk it shall not be subject to re-location, unless publicly abandoned, for one year—

Art 10″ Every claim holder, locator or locators not complying with the provisions of article nine shall forfeit all rights of every kind, nature & character whatsoever & the locations made by them shall be considered & treated as null & void—

Art 11″ Two or more companys owning claims upon the same vein or lode may join together in prospecting said vein or lode & the work done on the vein or lode by one company may be accredited to both, provided articles of agreement to that effect are filed with the Recorder & one of the locators make oath that it is a bona fide transaction—

Art 12″ The officers of the Dist shall consist of a Recorder to be elected by those taking part in these proceedings & who shall hold his office for the term of two years from the date of his election & may have one or more deputies—

Art 13″ It shall be the duty of the Recorder to give any claim holder, who shall have a claim recorded in his books a certificate of the same & for such services shall receive the sum of one dollar & fifty cents—

Art 14″ It shall be the duty of the Recorder to give locators & owners of claims who shall make a written affidavit that he has done a certain amount of work on a vein or lode & receipt for the same & for said services he shall receive the sum of one dollar & fifty cents & said amount shall include the expense of filing the affidavit—

Art 15″ These laws shall be subject to revision alteration or amendment by a majority of claim owners & actual residents of the Dist at all times, provided, that twenty-five claim holders cause to be posted in three public places (including one at the county seat) notices setting forth the place, and intended revision, alteration or amendment to be made—

ART 16" The Recorder shall be a bona fide resident of the Dist & shall keep all books & papers in said Dist, so long as it may be safe to do so, & in case of removal shall deposit all books & papers with the county Recorder subject to the order of the claim holders of said Dist, provided that in the case of the removal of said books & papers from the office of the County Recorder said claim owners give sufficient guarantee for their safety—

ART 17" The Recorder shall not absent himself from the Dist without leaving a good & reliable deputy & in case he should be absent for more than thirty days said office shall become vacant & said Deputy shall immediately call a meeting of claim holders whose duty it shall be to elect a Recorder to fill the vacancy. In case there shall be no deputy then three (3) claim holders shall be empowered to call a meeting for a like purpose & either of said notices shall give at least five days notice & one copy shall be posted on the county seat—

ART 18" There shall be held at the office of the Dist Recorder an annual meeting of claim owners at the hour of 10 o'clock a. m. the first Wednesday of November

On motion of Mr Speer, William Fer was duly elected Recorder for the ensuing two years

On motion the meeting adjourned sine die—

JAMES FLEMING *President*

HENRY F. HARDY *Secretary*

CERBAT CITY *March 22d* 1871

Miners meeting called to order & S M. Atchison chosen chairman when the following amendments were made to the mining laws of the Dist—

Article 9 was so amended as to read.

That two days work in each company location of two hundred feet or more will be sufficient to hold their claim for the term of three months—

ARTICLE 17 Is hereby amended so as to read as follows, The Recorder shall not absent himself from the District without leaving a good & reliable Deputy" striking out the words thirty days

ARTICLE 19. Whereas we think it to the interests & advancement of the District to those have mines that they that do work on the furnace shall have their work or such amount thereof as is necessary to hold their claims accredited to such claims for the term of three months—

ARTICLE 20—The Recorder shall be required to enter upon the records the appointment of his deputy or deputies—

ART 2 Is so amended as to conform to Senator Stewart's bill, which is an act to protect the rights of miners, a width of one hundred & fifty feet on each side of the thread of the lode, shall be allowed, and all the veins found within the space formed by this surface location extending downward perpendicularly shall belong to the locator of the claim with the right to follow such lodes even if they dip out of said lines

Meeting then adjourned

S. M. ATCHISON—*President*

W. J. FEE *Recorder*—

Meeting held Nov 4" 1872 at which Mr Toll moved that the congresional act now in force be adopted as a whole, which was adopted—

Dr Rees moved that twenty days work be considered equivalent to $100.00 done in a ledge, carried—

A. C Haskell receiving 62 votes out of 94 cast was declared elected Recorder

H. F. BAKER *Presdt*—

YAVAPAI COUNTY.—TIGER MINING DISTRICT.

PROCEEDINGS OF MINERS MEETING HELD FEBRUARY 4TH 1871

Meeting called to order, Jackson McCrackin Presd't & E. A. Gordon Sect'y—

Motion that the Presd't appoint three to draft rules & regulations for the government of the Dist Carried & Messrs Rees, Rogers & Gordon appointed & upon report of the Committee the following rules & regulations were adopted—

ART 1—That the District is to be known as the "Tiger District"

ART 2—This District shall include all the country known as the "Humbug" from its head to a point ten miles down said stream—

ART 3—The officers of the Dist shall consist of one Recorder who shall be elected by the miners of the Dist for the term of one year unless sooner removed by charges properly preferred & sustained by claim holders of the Dist

ART 4—It shall be the duty of the Recorder when so ordered by five claim holders to call & preside over all meetings upon business pertaining to the Dist—

ART 5—The duties of the Recorder shall be to record all claims or articles pertaining to the rights of the miners, also to act as Secretary of all meetings keeping a correct record of the proceedings of the same—

ART 6—All locations made in this District shall be designated by a monument & notice there on to be placed on some prominent part of the location describing location & direction of the lode & of the amount of ground claimed not to exceed 200 feet for each claimant with the right of an additional 200 feet for the discovery claim

ART 7—It shall be the duty of every locator to file a copy of his notice within ten days from date of location with the mining Recorder of the Dist

ART 8—Resolved that five days work to every claim shall hold the same for the period of six months—the work to commence within 30 days from date of Record—

ART 9—The Recorder shall be allowed one dollar per name as fees for recording

On motion of Mr J. Rees, E. A. Gordon was duly elected Recorder for the period of one year

E. A. GORDON *Recorder "Tiger" Mining District*—

YAVAPAI COUNTY.—SEDGWICK MINING DISTRICT.

CLINTON STATION A. T. *November 20th* 1871

PROCEEDINGS OF A MEETING HELD AT CLINTON STATION NOV 20″ 1871.

Mr Pierce Dorgan was duly elected chairman & forthwith proceeded to call the meeting to order—C. G. Terry elected chairman—

1—On motion of Mr Cox a District was formed having as a pivot a high point to the North East of Clinton Station, said point to be hereafter known as McCloud's point—

2—On motion the following described lines is hereby made the boundary of the Dist now undergoing organization—From McClouds point east for a distance of eight miles & from thence south a distance of 12 miles thence west 12 miles, thence north 12 miles thence 4 miles east to McClouds point comprising a section of country 12 miles square—

3 On motion Dist named Sedgwick Dist

4—Regarding claims by motion of Mr Hall that a period not to exceed twenty days after location be granted to claimants to record their respective claims before the Dist Recorder—Carried—

5—Motion of Mr Kennedy that five days work on any claim or company's claim hold the same for six months—Carried

6—Motion that within 30 days after recording work be commenced upon said recorded claims—Carried—

7—Motion Mr Cox that each claim or company's claim have their respective limits defined by erecting a monument or driving a stake at the beginning and terminus of said claims—Carried—

Motion of Chairman, Samuel Hill was elected Dist Recorder in & for Sedgwick Dist

Motion of Mr Kennedy that the Dist Recorder have & receive for a consideration the sum of one dollar for each claim placed upon record—

Resolved that a written application be presented to the Recorder of (said) Sedgwick Dist when a miners meeting is to be held & subscribed to by twelve miners interested in said District & be it

Resolved that the Recorder give ten days notice by placing or having placed in three conspicuous places in said Dist before such or any meeting can be held pertaining to the interests thereof—& be it further

Resolved that the Recorder be requested to keep a book for recording claims & said book be open to public inspection & the Recorder will cause to be placed upon the first pages of his record book the proceedings of this meeting & be it further

Resolved that the afore said laws are in force from & after this date & all laws conflicting with the same are hereby repealed

PIERCE DORGAN *Chairman*

C. G. TERRY *Secty*

SAMUEL HILL *Recorder*

MARICOPA COUNTY.—GLOBE MINING DISTRICT.

BOUNDARIES AND LAWS.

Pursuant to notice, the miners in the neighborhood of the Globe Mine, on Pinal Creek, Maricopa county, Territory of Arizona, met together on the 25th of November, 1875, at the camp of A. B. Hammond, for the purpose of forming a Mining District and making the necessary laws to govern the same. R. B. Metcalf, was called to the chair and R. H. Choate, appointed secretary of the meeting.

The chairman stated the object of the meeting, and his remarks were followed by a motion, that the district about to be formed should be called the "Globe Mining District," which was carried.

A motion was also carried that the boundaries of the Globe District be as follows:

Commencing at a point where the supposed line of the San Carlos Indian reservation crosses Salt River; thence down along the course of said river to the mouth of Pinto Creek; thence in a southerly direction to the Bloody Tanks on the trail from the Globe mine to the Pinal Post; thence along the summit of the timber range of the Pinal mountains to the Gila river; thence up the Gila river to the supposed line of the San Carlos reservation; thence along said line to the place of beginning.

This district is intended to embrace that portion of the San Carlos reservation that is about to be cut off and declared open for the occupation of miners and prospectors.

The motion carried that the Mining Act passed by Congress on May 10, 1872, and all subsequent amendments to that Act, be and are hereby adopted as the laws governing this district.

The following By-Laws and regulations were then adopted:

SECTION 1.—That each claim located in this district shall be recorded in the district records within thirty days after the date of Location, and any failure to comply with this rule shall be considered an abandonment, and the claim subject to relocation as though it had never been located.

SECTION 2.—There shall be upon each claim recorded in the district the amount of twenty-five dollars in labor expended during the first three months after the date of location.

SECTION 3.—Any failure to comply with the above rule, shall be deemed an abandonment of the claim.

SECTION 4.—All claims located in this district prior to this date, shall be recorded in the district records, within sixty days from the date of the passage of these laws.

SECTION 5.—Each notice of location presented for record, shall bear the signatures of one or more witnesses to the location.

SECTION 6.—There shall be notices posted in three conspicuous places in the district five days previous to the calling of any and all subsequent meetings of the miners of this district, and five mine owners in the district may call such meeting.

SECTION 7.—In all miners' meetings hereafter held in the district, fifteen mine owners in the district shall be considered a quorum to transact business, and a two-third vote of all mine owners present at any meeting shall be required to alter, abolish or make new laws for this district.

SECTION 8.—On the 25th of November of each year there shall be a meeting of the miners of this district, held for the purpose of electing a recorder, and for such other business as may be brought before it.

SECTION 9.—The recorder shall be elected to serve the term of one year.

SECTION 10.—It shall be the duty of the recorder to keep the books and papers of his office within this district.

SECTION 11.—The recorder shall be entitled to a fee of one dollar for recording each claim, and one dollar for each certificate furnished.

SECTION 12.—It shall be the duty of the recorder to appoint a deputy to act in his stead during his absence from the district.

Nominations for recorder were declared in order, and A. R. Hammond was nominated and elected by acclamation.

A motion was carried that the secretary be instructed to forward a copy of these proceedings to the *Arizona Citizen*, the *Prescott Miner* and the *Silver City Herald* for publication.

Signed, R. B. METCALFE, *Chairman.*

R. H. CHOATE, *Secretary.*

C. M. SHANNON,	I. WINTERS,	M. MORRIS,
JOHN HARVEY,	N. L. GRIFFIN,	F. TARBELL,
A. R. HAMMOND,	M. ENSENA,	GEO. SCOTT,
EDWIN POLK,	C. E. BUCK,	OMER WHITLOCK,
G. C. NOLAND,	L. E. JONES,	F. J. MORRIS.

R. H. CHOATE, *Secretary.*

Meeting adjourned.

TERRITORY OF ARIZONA,
County of Gila, *ss.*

I, G. A. Swasey, District Recorder of Globe Mining District, County and Territory aforesaid, do hereby certify that the foregoing is a full, true and correct copy of the Laws, etc., of said Globe Mining District, as found recorded in the Records of said District, and that the same are now in full force and virtue.

Witness my hand this 25th day of February 1881

G. A. SWASEY,
District Recorder said Globe Mining District.

CALIFORNIA.

AMADOR COUNTY.—DRYTOWN MINING DISTRICT.

LOCAL MINING LAWS.

At a meeting of the miners of Dry Creek, Rancherea Creek, Amador Creek & Sutter Creek holden near the town of Ranchereas Saturday June 7th 1851, in accordance with previous public notice for the purpose of making rules and regulations for Quartz Miners in the Mining District hereinafter described.

M. A. Lawton was chosen to preside—Samuel Herbert Vice-President & Wm. Salter jr. sec'y.

On motion of O. L. Palmer a committee of three were appointed consisting of O. L. Palmer, Wm. Fenton of Rancherea and Hiram P. Platt of Drytown to prepare resolutions for the consideration of the meeting. Committee offered the following report which was accepted—

Resolved 1st That Rules and Regulations for the security peace and harmony of the miners who are now or who may be hereafter engaged in prospecting and working quartz mines are positively necessary—

Resolved 2nd That in compliance with that necessity we do hereby ordain and establish the following rules and regulations for the government of of the District within the following bounds to-wit:—

All that portion of the County of Calaveras that lies south of the dividing ridge between the Cosumnes River and Dry Creek and North of the Mokelumne River.

Resolved 3rd That the size of a claim in quartz veins shall be two hundred and forty (240) feet in length of the vein without regard to the width to the discoverer or company and one hundred and twenty (120) feet in addition thereto for each member of the company that shall now or may be hereafter organized—

Resolved 4th That no claims hereafter made shall be considered good and valid unless the same shall have been staked off in conformity with the provision of Resolution 3rd and written notice of the size of the claim and number of men in the company posted upon a tree or stake at each end of the claim to gether with the date of day when the claim was made and all claims that are now made shall be staked off in conformity with these resolutions within five days from the date of the adoption of these resolutions.

Resolved 5th That the size of the claim, the number of men composing the company that holds the claim to-gether with a brief description of the location of the same so that it may be identified shall within ten days after the claim is made be filed in the office of the Justice of the Peace in whose district the same may be located. And all persons holding such claims shall file the same within ten days from this meeting.

And all persons hereafter making claims [within ten days after the claims are located] or otherwise such claims shall be forfeited—

Resolution 6th In all cases where claims are held by a company working jointly they shall not be required to work in more than one place but when held by individuals each several claim must be worked.

Resolution 7th Whenever a claim has been abandoned and such can be clearly proven before the Justice of the Peace where such file was made, said claim shall be forfeited to the person or persons establishing such proofs—

Resolution 8th. That these rules, regulations and proceedings be signed by the President and Secretary of this meeting and filed in the Justice's office at Drytown.

T. J. LAWTON *Prest.*

WM SALTER JR. *Sec'y.*

MARIPOSA COUNTY.—MARIPOSA MINING DISTRICT.

LOCAL LAWS.—MARIPOSA QUARTZ COVENTION.

A convention of Quartz Miners convened pursuant to public call in the town of Quartzburg, County of Mariposa, on the 25th June, 1851. The meeting being called to order, on motion, Col. Thorn was unanimously chosen President of the meeting, and J. T. Temple, Secretary.

On motion, a committee of seven was appointed to draft a preamble and resolutions for the consideration of the meeting.

The chair appointed the following gentlemen as that committee: Col. Kyle, Maj. Burney Maj. Gaines, Judge Lansing, Messers Thurmond, jr., F. Johnson and J. T. Temple.

The committee after retiring for some time, made by their chairman, Maj. Burney, the following report:

Whereas, We deem the protection of the Quarzt Mining interest in the County of Mariposa essential to the peace of said county, And whereas, certain definite and fixed rules are requisite to the protection of said interest and the maintenance of the peace and harmony of the county; therefore,

That all quartz veins now owned and occupied in the county of Mariposa, or which may hereafter be discovered or claimed, shall be governed by the following rules, to wit: The interest of a party making a discovery in quartz shall be five hundred feet in length, and the entire width of the vein, be that more or less. The interest of all persons claiming subsequently to the discovery shall be two hundred and fifty feet in length, and the entire width of the vein.

Resolved, That every vein of quartz now discovered, or which may be discovered, shall be recorded the County Clerk's Office defining the location, and clearly describing the boundaries of each claim. Every vein of quartz now owned or claimed must be recorded as above specified within thirty days from the first day of July next; and all subsequent discoveries and claims, within thirty days from said discovery or claim.

Resolved, That any person making a discovery of a quartz vein, shall in some clear and distinct manner, in some prominent place, mark his name & the date of the discovery; and further, that every owner of an interest in a quartz vein shall have said interest represented either personally, or by agent and said interest shall be worked in good faith within six months from the date of the record in the County Clerk's office.

Resolved, That all lands adjoining the veins and necessary for the successful operations in mining, as for tunneling, running a ditch, etc, shall be considered as the property of the party owning the vein, or that part of the vein, for the successful working of which said land is important.

Resolved, That we consider all rights claimed in quartz veins, subject to the debts of the claimants or owners, as absolutely as any other property.

Resolved, That all conflicting interests may be settled by a board of seven referees, who shall be disinterested, and their decision shall be final. The parties defeated shall pay the expenses of the referees while adjusting their conflicting interests.

Resolved, That the foregoing resolutions shall not be so construed as in any manner to affect injuriously or in any way impair the sales or transfers of interests heretofore made of quartz veins in this county.

Resolved, That the proceedings of this meeting be published in the Stockton, San Francisco,and Sacramento papers, and that a copy be furnished to our Senators & Representatives in Congress.

Resolved, That for the full and faithful maintenance of these rules and regulations in our County of Mariposa, we sacredly pledge our honors and our lives.

THOMAS THORN, *President.*

JOHN T. TEMPLE, *Sec'y.*

Filed July 16, 1851, and recorded at request of Thomas Thorn, esq.

EDW'D. C. BELL,
Clerk Mariposa Coy.

STATE OF CALIFORNIA
County of Mariposa ss:

I, Angevine Reynolds, clerk in and for the County and State above named, do hereby certify the foregoing to be a full, true and correct copy of the Quartzburg Mining Laws, of Mariposa County, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed my official seal, this —— day of ——— A. D. 18—

———
County Clerk.

BUTTE COUNTY.—CON COW MINING DISTRICT.

BY LAWS OF THE QUARTZ CONVENTION HELD AT RICH GULCH ON SATURDAY THE 15TH DAY OF NOVEMBER, 1851.

We the citizens of Rich Gulch and the adjacent mining District in Convention assembled do hereby enact the following laws to govern us in regard to Quartz Mining.

ARTICLE 1st. It shall be the duty of all persons or Companies intending to hold Claims in Quartz in this district, to have the same recorded by the Recorder of this district, within thirty days after discovery. Which claims can be legally held untill such times as machinery can be put upon it. Provided the time does not exceed six months.

ARTICLE 2nd. All person or companies claiming and working a Ledge of Quartz, shall be entitled to one hundred & fifty feet of each Ledge so worked and claimed, also one extra claim for discovering the same.

ARTICLE 3d. When a company have taken up a Ledge they shall be entitled to hold so much ground as they may deem necessary for the purpose of erecting machinery & other needful constructions. With the water privileges thereon. Provided the same has not been previously claimed.

ARTICLE 4th. The Recorder elected by this district shall receive for his services the sum of Twenty-five cents for each & every claim he records.

ARTICLE 5th. All difficulties arising from holding disputed claims or Mining Ground shall be settled by arbitration.

All persons buying a claim shall have an indusputable right to the same.

The Convention then elected L. C. Goodman Recorder & adjourned.

C A WEISERT *Chairman.*

JOHN Q. A. MILLER *Secretary.*

LAWS OF 1852. RICH GULCH BUTTE COUNTY.

By Laws of the Miners' Convention held at the store of J. I. Steward, Rich Gulch, May 22nd 1852.

At a meeting of the miners of Rich Gulch & vicinity called by due notice at the store of J. I. Steward on the 22d of May 1852 a large & respectable portion of the miners of this vicinity assembled for the purpose of father regulating the mining interest of this district.

On motion Levi Hedges was elected Chairman & John Callon Secretary.

On motion the laws passed at a former meeting in regard to Quartz mining were read & the following preamble & resolutions were offered & unanimously adopted viz:

1st. *Resolved,* that all persons or companies claiming & working a ledge of quartz shall be entitled to one hundred & fifty each on each ledge so worked & claimed also one extra claim for discovering the same.

2nd. *Resolved,* that on placing a quartz Claim on Record they shall hold the same without working it for six months.

3d. *Resolved,* that no person shall be entitled to more than one Claim in a Ledge unless by purchase or inheratance from this date.

4th. *Resolved,* that if a claim has been taken possesion of properly prospected so as to satisfy the parties that they shall work it. They may give due notice thereof & due proof that they have done so their Claims shall be good for 30 days from said notice.

5th. *Resolved,* That all disputes in regard to Quartz Claims shall be settled by three disinterested men. One to be chosen by each party & the *third* by the two chosen who shall be governed in their decison by the laws of this district & if it be desired by a party or parties said arbitrators shall summon a jury who shall decide the case, as before mentioned, under the direction of the arbitrators & subject to an appeal to a general meeting of the miners.

6th. *Resolved,* that when a company have taken up a Ledge, they shall be entitled to hold so much ground as they may deem necessary for the purpose of erecting machinery & other needful concrustions with the water priveledge thereon. Provided the same has not been previously claimed

7th. *Resolved,* that no person shall hold more than sixty feet in length & thirty in width in Gulch, Ravine & Flat or Coyate diggins with the exception of present Claimants.

8th. *Resolved,* That Gulch or Ravine & Flat or Coyate claims not recorded must be renewed every ten days, unless the owner is on his Claim & working the same.

9th. *Resolved,* That all Gulch Ravine & Cayate diggins can be held during the dry season by recording the same until their is sufficient water to work the same.

10th. *Resolved,* That no person shall be entitled to more than one Claim in Gulch, Ravine or Coyate diggins unless by purchase or inheratance.

11th. *Resolved,* That all claims in Companyship each shareholder's name shall be incerted upon the Recorder's Book.

12th. *Resolved,* That the discover of any & all Kinds of diggins, shall be entitled to one extra Claim.

13th. *Resolved,* That all disputes in regard to Gulch Ravine or Coyate diggins shall be settled in the same way as in Quartz Claims.

14th. That the Boundaries of this district shall be the North Fork & West Branch of Feather River

15th. *Resolved,* That a Recorder of Claims shall be appointed at this whose duty it shall be to keep a record of all claims handed in to him on receiving his fees for the same.

16th. *Resolved,* That the Recorder shall Keep one book for Quartz & one for Gulch etc. Claims. He shall act as Secretary at all meetings of the miners of this District provided said meeting be duly called as hereinafter specified He shall also keep a true record of all laws of this district duly posted, & have his books always ready for inspection & use of all persons calling for the same. He shall also put up Copies of all laws in two public places within the district.

17th. *Resolved,* That the Recorder be empowered to appoint a Deputy to perform his when he may be absent or sick.

18th. *Resolved,* That the Recorder's fee shall be for recording each Quartz Claim or bill of sale one dollar & for each Gulch Claim or bill of sale one dollar provided that he shall not charge more than one fee for recording a company which may comprise two or more shareholders.

19th. *Resolved* That the Recorder shall be elected by vote & J. I. Steward was unimously elected as Recorder of this district.

20th. *Resolved,* That future meetings of this district shall be called as follows. Any two miners may sign a request to the Recorder to call a meeting stating in their request the object for which the meeting is called

The recorder shall thereupon issue a notice stating in the same a copy said notice shall be posted up in three public places in the District at least three days previous to said meeting, provided that no other business shall be attended to at said meeting except what is specified in said notice.

It was then moved to adjourn for the time being.

LEVI HODGES *Chairman*

JOHN CALLON *Secretary.*

LAWS OF 1880

By virtue of a notice duly signed and posted on the 23d day of August 1880, a meeting of Miners was held at Yankee Hill, Butte Co. Cala on August 28th 1880, for the purpose of revising the mining laws and forming a new District and conforming to the United States Laws, also for the purpose of electing a Recorder for said District, at which place and time the Con Cow Mining District was formed.

Mr. M. H. Wells acted as Chairman and Mr. L. Glass acted as Secretary

Following are the laws passed to govern the District.

Laws.

1st. The Mining District shall be called the Con Cow Mining District

2nd. The District shall embrace the following described and bounded territory: Commencing at the Junction of the North Fork of Feather River on the West Branch of Feather River on the South end and following the West Branch of Feather River in all its course Westerly and Northerly to the North line Township 22, and thence Easterly to the North Fork of Feather River, thence Southerly and Easterly to the Junction of said North Fork of Feather River and West Branch River to the place of beginning, including to said River the centre thereof.

3rd. Chapter Six of Title 32 Revised Statutes of the United States is adopted as this article.

4th. In the location of mines in this district, copies of the notices of Location must be placed on the mines before any legal record of the same can be made by the Recorder, any location not so made shall be null and void

5th. All locations must be filed in the office of the Recorder within ten (10) days after the actual date of location

6th. The Recorder shall be entitled to a fee of one dollar ($1.00) for each and every notice recorded with one name and twenty-five cents (25 cts) for each additional name.

7th. The Recorder of this District shall hold office from the 28th day of August 1880, until his successor is elected.

8th. The Recorder shall keep full and complete records of the minutes and proceedings of the respective meetings

9th. These rules and regulations and by laws shall not be altered or in any way changed except at a meeting of the miners of said District and then only by a majority of miners Present, which meeting shall be called by written notice posted in five (5) conspicuous places within the District, naming day and date etc, Which meeting shall have power to elect a Recorder, such fact being stated in notice of call.

10th. Any and all persons, who are citizens of the United States of America or who have declaired their intentions to become such, and own shares or stock or interest in any mine in this district shall be entitled to vote at a miners meeting.

11th. Five ($5.00) dollars per day shall be allowed for each and every eight hours work performed upon a mine, for the purpose of holding title or performing the necessary amount of work for a patent.

12th. All mines hereafter located in this District shall be marked by end and corner stakes or monuments at least eighteen inches in height above ground with sufficient marks placed in or upon them showing which end or corner of the claim they designate.

13th. All locations made and recorded previous to the adoption of these rules, regulations and by-laws are hereby fully legalized.

14th. These rules, regulations and by-laws shall be in full force and effect on and after this 28th day of August 1880.

15th. In this District a Ravine claim shall consist of four hundred and fifty feet (450) along the bed of Ravine and fifty feet (50) on each side from centre in width.

16th. Hill claims shall be three hundred feet (300) front, at base of hill, and running back to the centre of the Hill.

17th. River claims shall consist of twenty (20) acres for each person locating.

The following resolutions were also adopted at this meeting.

Resolved, that parties holding claims under the old laws may at their option relocate and have recorded in the name of the company, as many claims of twenty (20) acres each, as may be embraced within their present boundaries, without invalidating prior and accrued rights and that when five hundred dollars ($500) has been expended by any company on their claims, that the annual recording and expenditure of fifty dollars ($50) on said claims, will be held sufficient to confirm title, providing that nothing in the new laws shall be construed so as to affect any rights acquired under the old laws.

Resolved, that we learn with much satisfaction that James C. Logan, Frank McLaughlin and Geo. W. Cummings of Orville contemplate running a tunnel from a point on the North Fork of Feather River near Hamilton Bar through the ridge, to a point in Dark Canon, for the purpose of diverting the water of said North Fork from its natural bed in that portion of the River known as "Big Bend" so that the whole bed of the river may be dried up and mined from said Hamilton Bar to the junction of the West Branch and North Fork of Feather River. And recognising the fact that the bed of said North Fork through said Big Bend cannot be successfully mined in any other way than by drying up or diverting the waters thereof, and believing that the very large amount of money necessary to be expended to accomplish such purpose will give a new and beneficial impetus to the mining interest of this district and reposing the utmost confidence in Messrs Logan, McLaughlin and Cummings be it further resolved and recorded as the sense of this meeting that we the miners of this district do hereby agree to pass such laws governing the district as will from time to time meet the requirements of this great enterprise and we agree that nothing in existing laws, governing this District shall be so construed as to interfere in any manner with the successful carrying out said undertaking. And all laws and parts of laws enacted heretofore in this District for the government of ordinary placer and quartz mining which are not applicable to the present undertaking, (We recognize the fact of the novelty of this enterprise) are hereby declaired inoperative and void, as to their application to this great tunnel enterprise. And we further resolve and decree that during and after the completion of said tunnel Messrs. Logan McLaughlin and Cummings shall have the right to and shall own all the precious metals and minerals in the bed of said River, throughout its course through Big Bend, between the points before named, excepting only the product of bars and flumes now being worked by persons having established and legitamate rights held and enjoyed under the laws of this district previous to the first day of June A. D. 1880.

Resolved, that the Recorder be requested to record the proceedings of this meeting and that the foregoing enactment be recorded as special by laws governing the aforesaid tunnel enterprise within the limits of this district

M. H. WELLS *Chairman*

LOUIS GLASS, *Secretary*

EL DORADO COUNTY.—GRIZZLY FLAT MINING DISTRICT.

ORIGINAL QUARTZ LAWS PASSED FEB. 4TH 1852 IN CONNECTION WITH PLACER MINING.

ARTICLE 1st SECTION 1st—No. 6—*Resolution*—That for the engagement of the discovery of Quartz dikes or lead in this vicinity the discover be entitled to one extra claim and that one hundred and fifty feet in length and the dip or inclination of said lead to any depth and its width constitute one claim.

S. 2nd No. 7. *Resolution* That a company or a part of a company discovering a Quartz lead shall be entitled to as many claims as there are members in the Co but that said Co be entitled to only one extra claim as in case of a single individual making the discovery.

S. 3rd No 8 *Resolution*. That the notice of said individual or Co be set up at some convenient point of said claim or claims dessignating the same and that the owner of said claims be required to improve them once in every ten days till mashinery is brought on.

S. 4th No. 9 *Resolution*. That the improvement of one claim of a Co at a time by said company be considered valid as though the whole number of claims were being worked at the same time.

On motion the secretary was requested to post up one or more notices of the same also retain the original copy.

J. W. STEELEY *Clerk*.

FEB. 26th—1853—

At an adjourned meeting of the miners resolution 8. altered so as to read every sixty day instead of every ten days.

Also Added on the same day. That company claiming water-privileges for the purpose of running mashinery shall be allowed the same or so much as will be necessary for their use in connection with their quartz.

L. GOULD, *Sect'y*.

J. W. STEELEY *Clerk*

(NOTE:—None of the books containing records made under the first laus are in existence—Date of first record unknown.)

AMENDMENTS AND REVISION OF MINERS LAWS.

ARTICLE 1st SEC. 1st This district shall hereafter be called and known by the name of Mount Pleasant Mining District—

SEC. 2nd The Boundaries of Mount Pleasant Mining District are as follows to-wit:—

Commencing as a starting point at the mouth of Steeley's Fork of Cosumnes River and running from thence a due South course to the Middle fork of Cosumnes river, thence up this side of said River the line and boundary of said district following the most northerly branch of said stream to its source or to the Sierra Nevada range of mountains to the most northerly branch of the north Cosumnes River thence down said stream to a point due north of place of commencement and from thence across (due south) to starting place—

SEC 3rd The Mining interests of this district are divided into the following classes as follows:—

1st Into Placer Mining

2nd Into Quartz and Mineral Vein Mining

ARTICLE 2nd SECTION 1st Placer mining is divided into—

1st Ravine and River diggings

2nd Flatt and surface diggings

3rd Hill or tunnel diggings

4th Wet diggings

5th Dry diggings

S. 2nd Ravine, Cañon and River diggins are one hundred and fifty feet in length (up and down) and the entire width of the same including the bed from base of hill to base of hill.

S. 3rd Flatt and Surface diggins are three hundred feet square—

SEC. 4th Hill or tunnel diggins are four hundred feet wide, commencing at the base of the hill and running to the summit of the same—

ARTICLE 3rd S. 1st Each miner shall be entitled to take up only two claims one in the wet diggins and one in the dry diggins except by discovery in which case the discoverer shall be entitled to one extra claim for right of discovery.

S. 2nd All claims may be taken up by a prospector's notice designating the same in which case a prospector is required to use reasonable dilligence.

S. 3rd All claims must be notified by a notice of the same with the proper names of each claimant.

S. 4th All claims after it is ascertained that they will pay must be registered on the Clerk's docket with the name of the company and the individuals names annexed at the times or within fifteen days after such fact is known, or else such claim or claims shall not be cognizable by these Laws.

S. 5th All forfeited claims of Cos. shall renat to the remainder of the E by a registry of the same on the Clerk's docket at or about the time of forfeiture—

S. 6th All purchassed claims shall be rallied by the purchaser holding a certificate of the same registered on the clerk's docket subject to the same Laws as the original owners

S. 7th (offered by L. Gould & passed) No man shall be allowed to hold but two claims at once by purchase.

S. 8th Any dirt thrown up for the purpose of washing when water can be had or for the purpose of letting the sun or weather act upon it in order to make it wash easier is entitled to all the ground under said dirt.

S. 9th All dirt thrown up will hold good twelve months at which time such dirt shall be subject to the other laus which compels the owners thereof to work it in the working season.

ARTICLE 4th SECTION 1st Dry diggins are those which have not a sufficiency of water to work them proffitably only during the rainy season—

S. 2nd Wet diggins are those which have too much water to work them proffitably only during the dry season (from the first of the month of November to the first of the month of July.

ARTICLE 5th S. 1st regulates the amount of labour to be done on Ravine, Cañon and River diggins—Work must be done on them to the amount of ten dollars every fifteen days during the working season.

S. 2nd Regulates Flatt and Surface diggins a reasonable amount of labour must be done on them during the working season. to yeald profits.

S. 3rd Hill or tunnel diggins are governed by the following Laws:—Any man or Co. of men running a tunnel into a hill shall be entitled to hold and own the same after such claim shall pay for work or after labour to the amount of five hundred dollars is done on said claim for the time of twelve months without further improvement or expense by registering the cause of such suspension of work on the clerk's docket.

S. 4th Tunnel diggins expressly means that one tunnel can only hold one claim except in prospecting a hill in which case two claims may be joined to-gether by a Co. of two or more men and said claims worked by said tunnel at the discretion of said claimants thereof.

S. 5th Sickness always forms a sufficient excuse to hold claims without work—

S. 6th Inability to prosecute prospecting claims from a lack of means shall cause no forfeiture by the owner thereof registering such cause on the clerks docket.

ARTICLE 6th *Pertaining to Quartz and Mineral Vein Mining* S. 1st The Quartz laws of this district stand as they are with this addition, that all mineral veins such as silver, Copper, Tin, Mercury &c—if any should be discovered shall be governed by the same laws as those of Quartz.

ARTICLE 7th S. 1st All controversies or disputes relative to the title of claims must be left to an arbitration by a committee of two chosen by the controvissial parties which committee shall in case of disagreeing have a right to call in a third person the majority of whose decision shall be final.

S. 2nd The committee shall hear all the evidence of both parties from witnesses uninterested as also allow the parties in dispute to make their statements. but in no case shall such interested parties evidence be taken unless both parties have no other evidence to give.

S. 3rd When any claim or claims are in dispute and the opposite party failing or refusing to go with trial in five days therefrom, the party so agrieved may by giving them five days notice (after such time has run out.) proceed to trial as in case the other party were agreed thereto.

ARTICLE 8th S. 1st. This district shall have a clerk or Recorder whose duty it shall be to keep a true record of all the business transacted at the miners meeting and also register all business certificates &c, on his docket presented or given to him by the miners for that purpose

S. 2nd It shall be the clerks duty to notify the miners of any meeting when ten or more shall make the request in writing by posting up or causing to be done notices in this place—(Mount Pleasant City—as G. F. was formerly called—) ten days before such meeting stating specially for what purpose such meeting is called—

S. 3rd These laws may be amended altered or added to at any meeting of the miners such being specified in the clerk's notice so as not to invalidate any miners rights owning under former laws.

S. 4th The clerk shall be allowed one dollar for every entry on his docket.

S. 5th It shall be the clerk's duty to keep a copy of the miners Laws of this district posted up at some public house in this place—

On motion J. W. Steeley was appointed clerk.

On motion the meeting adjourned till duely called togethers as these laws prescribe.

J. W. STEELEY *Clerk.*

Local mining record.

Seventeen locations were recorded during the year ending May. 31st 1880.

None in June 1880.

(In pencil:) First location recorded July 10, 1854

TRINITY COUNTY.—EAST FORK OF NORTH TRINITY MINING DISTRICT.

MINING LAWS.

WEAVERVILLE, *February* 17, 1852.

Notice is hereby given that we the undersigned miners of this Creek met on the 17th day of February 1852 and adopted the following resolutions.

1st. That each man may hold one hundred yards of the Creek as a claim.

2nd. That the ground to high water mark is considered as belonging to said claim.

3rd. That each man in taking up his claim shall post a notice at each end of his claim which will hold said claim for the term of ten days and at the end of that time said notices are considered null and void.

No notice shall be considered good after the first day of May next unless the claimant is at work on said claim

5thly. Companys may work out their claims together and while working one claim may hold all belonging to the individuals of said company.

Sixly. If a man buys a legal claim he may hold it as well as his own leagal claim.

East Fork of North Trinity.

CHAS BELL.	ANDREW WATSON.	MANSEL TOLLE.
J. H. HALL.	GEO. THORNTON.	WM HAZELTINE.
STEPHEN FLEMING.	W. P. McMILLAND.	P. K. SHIVELY.
S. HOGELIN.	H. L. SNIVELY.	H. O. ADAMS.
D. WILLARD.	S. N. MARSH.	WM JOHNSTON.
R. M. DEVER.	J. W. TAYLOR.	JACOB PRICE.
JNO BARTLETT.	D. P. DUDLEY.	SAML. S. FINLEY.
H. B. LANCASTER.	THOS. McGULLION.	JACOB. B. GIDEON.

Copy of original filed and recorded, Feb'y 24th 1852. County Recorder, Weaverville, Trinity Co.

YUBA COUNTY.—UPPER YUBA MINING DISTRICT.

YUBA COUNTY MINING LAWS.

1st. *Resolved*, That a River claim worked with Flume Race or Wingdam, shall consist of thirty feet deep up or down Stream from Notice and extending across said Stream, including such portion of Bank or Bar as could not be worked without the aid of said Flume, Race or Wingdam; attached to such Water claims there shall be a Notice posted in some conspicuous place, and renewed Monthly, naming the bounds and the party holding such claims, said notice to be valid during the time said claims cannot be properly worked or in preparation for that purpose; and thirty feet in the Bank hereafter, and this to conflict with no claims taken up under the old Laws.

2nd. *Resolved*, That a Bank, Bar, Ravine or Coyote claim shall consist of thirty feet square and be designated by Stakes or other visible bounds, and Tools shall be left on said Claims. Such Claims shall be worked at least as often as every five days.

3rd. *Resolved*, That every person holding a River claim shall be entitled to hold a Bank, Bar, Ravine or Coyote claim during that portion of the Year when he cannot successfully work said River Claim and while he is making preparations to do so.

4th. *Resolved*, That claims of deceased persons can be sold to the highest bidder, and the person thus purchasing shall be allowed to hold such claims for the purpose of Working, even if he is in possession of others.

5th. *Resolved*, That all disputes in relation to Miners' Claims, shall, on application by either party to the dispute, be settled by Arbitration or Reference, in the following manner to wit: The party aggrieved or Plaintiffs shall give the other party 24 hours notice; after the expiration of notice, both the parties shall choose two persons on each side, and then the persons thus chosen, shall choose another, making five Arbitors or Referees; These five persons shall proceed to investigate the matter in dispute by hearing such witnesses of facts as can be of any benefit to either Side of the question. The decision to be by the Majority. At the request of either party, the arbitors and witnesses may be sworn by a Justice of the Peace. In case the Defendants shall neglect or refuse to choose two arbitors, within twelve hours after the expiration of the first notice, they shall be defaulted. In case of an arbitration an appeal can be had to the County Court.

6th. *Resolved*, That all persons mining may hold one claim by purchase and one claim by Location.

7th. No person shall hold any more than as specified in the foregoing Resolution.

8th. *Resolved*, That any claims or disputes which may have been heard or which may be pending on appeal, shall be tried and settled as set forth in the foregoing Resolutions.

9th. *Resolved*, That each Sluicing Co. Fluming Co and all other Companies of Miners shall post and keep up conspicuously a notice of the name or style of Co. on their claims, giving the number of actual members and their names, which shall be kept up during the holding or working of such claims.

10th. *Resolved*, That no Company shall monopolize a Stream of Water for Speculation or unnecessarily use it to the injury of others.

11th. *Resolved*, That any person prosecuting the mining business on other claims than River, shall be allowed to hold possession and right of possession to such claims, by notice during such time as such claims cannot be worked to advantage on account of high water.

12th. *Resolved*, That the Upper Yuba District consist of Snake Bar and all above, and embracing the North Fork and the South Fork of the Yuba River.

L A. DOOLITTLE, *Chairman*

J. C. STANLEY, *Secretary.*

Passed April 11th 1852.

J. C. STANLEY *Secretary*

TRINITY COUNTY.—WEAVER CREEK MINING DISTRICT.

RULES AND REGULATIONS.

Adopted by the miners for the government of miners rights and privilidge on Weaver Creek, commencing at the first bend of the creek above the trading post on big flat and running down to the mouth of the creek.

ART. 1st Each and every miner shall be entitled to hold one claim at a time and no more, either by purchase or otherwise from this time forth.

ARTICLE 2nd. A claim in the bed of the stream shall be as follows. viz. To consist of 120 feet to each and every man, the same to extend from bank to bank at the low water mark.

ARTICLE 3rd. Bank claims shall be as follows viz: to commence on the face and work back in a straight line to the hill, the face of said claim not to exceed 30 ft to the man and running back as far as they choose

ARTICLE 4th. In order to hold a claim a person shall be required to *notify* the same if after three days he does not place Tools or other evidences of his intentions to work it, it may then be taken up by any other person

ARTICLE 5th. Any and every person shall be required either to be at work himself or represent the same at least one day in ten or lose the same, except in case of sickness, or high water when by notifying the same to that effect it shall stand good to him until such time as he is able to work it.

ARTICLE 6th. Whenever any disputes may occur in regard to claims they shall in all cases be settled by a Jury of miners, to consist of four disinterested persons Two chosen by each party and in case of their not agreeing, they to select the fifth (litigation to be thrown entirely aside) the parties are to abide by the decision of the miners law which is to be final

ARTICLE 7th. Any race which may have been cut or dam built previous to this Law shall be held good to the parties referred to in 2d article without any reference to the 120 feet.

Resolved, That the foregoing rules and regulations be recorded in the County Clerks office of Trinity County and that they also be published in the Shasta Courrier.

WM AUGUSTUS KNAPP *Secretary.*

The following Resolutions were then passed appended to and embodied in the above

That we allow the Saw Mill Co. to hold for the accomodation of their mill, those mining claims which they have bought for that purpose and those which they find necessary to purchase hereafter for securing a sufficient pond or head of water for said mill.

Resolved, that we are satisfied that the bed of the creek and banks which is flowed by said mill Dam, has been generally worked out and will not justify an interference with said dam to work the same. Therefore

Resolved, that we will not sustain any miners in interfering with said mill or dam for the sake of working mineral ground which is flowed by said mill Dam. provided such claim shall have been made since the commencement of said Mill Dam.

WM AUGUSTUS KNAPP, *Secty.*

Filed and Recorded this day the 19th of June 1852 at 7. a m.

TRINITY COUNTY.—WEAVERVILLE MINING DISTRICT.

MINERS MEETING.

WEAVERVILLE *June 7th* 1853.

The miners of this district met to-day en masse in front of the Independence for the purpose of finally settling the claims to the water of West Weaver, and which heretofore has been conducted to those "diggins" by two races known as Dr Wares and Fiddler's races; but now claimed by the miners of West Weaver.

On motion Col. W. B. May was appointed President and Wm Feast Secty.

Col. O. H. Allen rose and stated in a concise and short address, the object of the meeting, giving the history of the above Races, the cause of their origin &c and concluded with an expose of the law on the subject.

After some desultory from some few of the claimants and others the following preamble and resolutions were adopted by a *seventh eighth* vote.

Whereas, some malicious persons residing on West Weaver, have without cause or provocation committed a wanton destruction of property in the burning of Dr Ware's reservoir on West Weaver, and cut and otherwise injured the Race known as Dr. Wares Race, which in part supplies water for the diggins on McKenzie's Gulch and its tributaries. to the serious injury of not only Dr Ware but also the miners working on said gulches and whereas the several Race companies of East and West Weaver have incurred considerable expense in constructing reservoirs and conducting water from said creeks to Weaver for mutual benefit without having interfered with the right of any miner or miners working on said creeks at the time; and

Whereas, it becomes us as Americans and good citizens to protect one another in our rights and privileges therefore be it;

Resolved, that we the miners of Weaver assembled, en masse, do hereby repudiate and frown upon any and every such spirit of agrarianism as has so lately manifested itself in the burning of the reservoir and cutting of Dr Wares Race and will protect all persons in their respective rights and privileges, as guaranteed to them by the constitution of the state as well as that of the United States.

Resolved, that the aforesaid Race Companies be entitled according to their priority of right to so much of the water of said creeks as their respective Races will convey. Provided always that a sufficient quantity be allowed to run in the natural beds of said creeks for the benefit of miners at present working or who may hereafter work said beds; and that four tom-heads shall be deemed sufficient for that purpose.

Resolved, that any individual or company of individuals who have dug or who may hereafter dig a race or races (not otherwise mentioned in this our act) for the conveyance of water not in use at the time, from any gulch or creek in this district, shall be protected in the to said water so long as he or they shall keep said race or races in proper repair, provided such water be used for mining purposes.

Resolved, that we will assist Dr Ware in the repair of his race, and do hereby constitute a committee of the whole and pledge ourselves to see the provissions of this meeting be complied with

On motion it was

Resolved, that the president appoint at his leasure six persons to act as directors of said committee.

On motion the proceedings were ordered to be published in the Shasta Courier when the meeting adjurned sine-die. By order

WM. B. MAY, *President.*

WM FEAST *Secy.*

Recorded Dec. 13 '53.

L. S. WILLIAMS *Recorder.*

MINERS MEETING.

Pursuant to notice a meeting of miners was held on Tuesday the 9th of August at Johnsons old house at Sidney flat.

Mr Cameron was appointed Chairman and called the meeting to order.

On motion R. T. Miller was appointed Secretary.

The object of the meeting was to investigate the existing difficulties between Dr Ware and a mob of miners on West Weaver, who without any apparent cause and in violation of all laws of the country and of honor, have destroyed his property with that of other individuals, and as we are creditable informed are now holding water by force of arms, that is justly the property of Ware and others.

Dr Ware explained the object of the meeting in a few pertenant remarks. He said that McDermot told him on yesterday that unless he gave up one half of the water in the creek aforesaid, that he McDermot would take a body of men and take the water by force of arms and hold the same until he and his men were whiped off the ground. His party as above mentioned have taken possession of the water and are holding it by force of arms, in this dilemma Dr Ware calls upon his fellow miners to assist him indefending his rights, agreeable to the old miners laws, they said that this was a serious affair but that they were willing to defend the old and established miners laws and the right.

Mr Miller then moved that a committee of five be appointed to investigate the nature of the grievances and examine the law on the subject and report to an adjurn meeting at one oclock. Motion carried unanimously.

Messrs Brown, Gordon, Eaton, Pencost & Cameron appointed said committee.

Meeting adjurned to one oclock.

Pursuant to adjurnment meeting met at one oclock, were called to order by the chairman Mr Cameron Committee reported as follows, having thoroughly investigated the laws and customs of the miners of Weaver. We fully concur in the opinion that Dr Ware is fully entitled to all the water in West Weaver except four tom-heads, which is allowed for the bed of the stream, also that the burning of his reservoir and the destruction of his dam and other property and the taking of his water from his race by force of arms are malicious acts and should not be submitted to by those who are in favor of law and order.

On motion the report was received and the committee discharged.

On motion it was

Resolved, that we assist Dr Ware in turning the water into his race and that we sustain him to the last extremity in keeping it in the Race.

On motion meeting then adjurned for the purpose of carring this reselution into effect.

Recorded Dec 13th 1853.

PLUMAS COUNTY.—WARREN HILL MINING DISTRICT.

Public notice having been given calling a meeting of the miners of Spanish Flat, to consider the propriety of divideing said District and forming a part of the original territory into a new mineing district to be called Warren Hill Mineing District

In pursuance of said notice a large number of miners met at the House of J. M. Jackman & Kidder at 7 p. m. Oct 21st 1853, and proceeded to Business by the election of J. H. Kilbourn as chairman.

On motion of Mr. Haymond the chairman appointed the following gentleman as a committee to draft a constitution and Bye Laws viz: W. H. Lester C. M. Bosworth C. Bordwell C. F. Jackson Geo. McKelvey

On motion of W. H. Lester, the chairman was added to the committee and Creed Haymond appointed Secretary

On motion of Mr R. B. Sigafoose, the meeting proceeded to elect a recorder.

On motion of Mr M. Hall, the vote was taken by ballot, Geo. H. Stockwell and J. S. Hayden acting as Tellers.

59 votes were given of which J. H. Kilbourn received 37. C. F. Jackson 14. scattering 8.

On motion the meeting adjurned

Oct 22nd. Pursuant to a call of the chairman of the committee on Constitution &c, the miners of Warren Hill met in front of Jackman & Kidders store at 4. p. m. The object of the meeting was stated when the constitution was read by the Secratary.

On motion of Mr A. A. Hayden it was taken up article by article and the following with its preamble unanimously adopted.

STATE OF CALIFORNIA

County of Sierra (note: now Plumas Co.)

AN ACT to regulate Mineing and miners claims on Warren Hill adopted October 22nd 1853.

We the miners and citizens of Warren Hill, in order to form a more perfect and correct understanding among ourselves and all others that may come among us, respecting our rules of mineing our claims of ground, the condition of becomeing in peaceable and permanent possession therein, to establish Justice and secure harmony, do enact and draft the Laws as follows.

ARTICLE 1ST.

We do declare and confirm the following to be our permanent boundaries viz: commencing at the Bridge near the Rabbet Creek House as the northwest corner and the Gibsonville thence to the foot of the main hill shall be the northern boundary and a noted slide near the foot of said Hill shall be the northeast corner, thence southerly down a ravine to the Dublin ditch and thence with said ditch to the Bowington Ravine, thence southerly to the Spanish Flat Road, thence westerly to a point on the Rabbet Creek where the trail from Spanish Flat to Secret Diggings crosses said Rabbet Creek, thence with said Creek to the place of beginning and all within said boundary shall be called Warren Hill.

ARTICLE 2ND.

SECT. 1st. All miners or other persons resideing now within this district shall be considered citizens of Warren Hill and have the right to vote in our assemblies.

SECT. 2nd. All persons who come here for the purpose of mineing or becoming residents shall after the 6th day be considered citizens and have the privileges as above mentioned.

SECT. 3rd. All persons who have previously lived within these boundaries and having recorded or legal claims, who have left with the intention of returning and working the same, shall have the right of citizenship on there arrival here.

ARTICLE 3RD.

SECT. 1st. All persons now resideing here or who may hereafter become "citizen" residents shall have a right to take up one claim of ground for mineing unless such person be in possession of a claim by location.

SECT. 2nd. And any and every such person shall have the right to purchase one or more claims and to hold or sell the same. But at the time of such purchase he shall take a bill of sale, showing therein the ground purchased, also the cost thereof attested by one or more witnesses, which if given in good faith and without collusion between the parties shall entitle the purchaser to the same rights which might have pertained to the original occupant of said claim or claims and such bill of sale shall be recorded.

ARTICLE 4.

SECT. 1st. When a miner has taken up a claim of ground, he shall at the time measure and stake off the same and set up a written notice upon some part of the said claim, describing therein its boundaries and extent.

SECT. 2nd. He shall also within three days, have the same recorded therein, showing its locality, situation extent &c.

ARTICLE 5TH.

SECT. 1st. When a miner has taken up a claim and put up a notice, and afterwards takes up another before the limitation shall have expired for recording, the first notice; he shall take down before setting up the second notice the first notice and draw his stakes or he shall be liable to lose said second claim.

ARTICLE 6TH.

SECT. 1st. Any persons holding one or more claims shall at all times have persons working upon the same whenever sufficient water can be obtained to work the same, and do so in good faith, not merely as a pretext to hold said claims. But all such claims shall be considered worked upon, if one man for each claim shall be at work, though they may all work upon the one claim onely.

SECT. 2nd. And shall any persons neglect complying with the instructions of this article longer than ten days after the arrival of water or longer than six days at any period during the continuence of sufficient water to work the same, he shall be liable to loose all claims not represented.

ARTICLE 7TH.

SECT. 1st. When a miner can no longer work a claim for want of water, he shall have the right to take up and work any unoccupied ground and hold the same as though he held no other claim until such time as his former claim or claims are workable, when he shall abandon and not sell the latter claim otherwise forfeit all right and title to his first claim or claims.

ARTICLE 8TH.

SECT. 1st. The extent of all claims taken up after the passage of this act shall be 100 feet by 125 feet.

ARTICLE 9TH.

SECT. 1st. Whenever a company of miners take up or purchase claims and onely a part of said Company go before the Recorder. He may record the claim for the party present but shall refuse to record the claim of the absent party. unless the party present make affidavit of the existence of said partnership, which affidavit shall be taken by the recorder and made a matter of record.

ARTICLE 10TH.

SECT. 1st. Any person shall have the right to take up a new claim by abandoning the old claim and making such abandonment a matter of record.

ARTICLE 11TH.

Every miner or company of miners shall have the right to run their tailings through the claims below by Fluming or ditching said claims Provided the fluming or ditching be done on the part of said lower claims that will least incommode the owners of said claims.

This provision shall onely apply to those who may take up or purchase claims above those that are being worked or recorded below them.

ARTICLE 12TH.

SECT. 1st. Every person who may desire it may take up 100 feet square for building purposes, provided the same is not known or generally believed to be good mineing ground.

SECT. 2nd. No person or persons shall have the privilege to build or use a house as a house of ill-fame in this District.

SECT. 3rd. All persons who take up lots for building purposes shall have said claims duly recorded within three days and commence building within a reasonable time.

ARTICLE 13TH.

All water-ditches or flumes that are now or may be hereafter constructed shall be respected and not in anywise injured without the trespassers being liable for damages.

SECT. 2nd. But no water flumes or ditches that may be hereafter constructed shall pass through any legal claim or claims without first paying to the owners thereof the amount of damages thereby accruing, which shall be assessed by three disinterested persons chosen by the parties.

SECT. 3rd. No person shall have the right to cut any timber, off the legal claim of another without his consent, neither shall he fall any timber upon the claim of another without removeing the same within 24 hours.

ARTICLE 14TH.

SECT. 1st. It shall be the duty of all resident miners now in this District to appear before the recorder within ten days after the adoption of these laws and inform him what claim they now hold, which he shall place upon the record, otherwise they will be forfeited, miners having claims here, who are absent, shall appear as above within ten days after they return.

ARTICLE 15TH.

SECT. 1st. It shall be the duty of the Recorder to keep a true copy of these Laws at his office for public exhibition at all times.

ARTICLE 16TH.

SECT. 1st. Any part or parts of these Laws shall be subject to amendment at any future time, by the qualified citizens of this District, provided as many as two-thirds of all the citizens be at the assembly for that purpose.

ARTICLE 17TH.

SECT. 1st. The Recorder shall receive $1.00 for every claim recorded.

On motion of R. B. Sigafoose the Laws were unanimously adopted, ordered attested by the President and Secretary and placed on record.

J. H. KILBOURN, *Prest*

Attest
CREED HAYMOND, *Secty.*

EL DORADO COUNTY.—FRENCH CREEK MINING DISTRICT.

LOCAL MINING LAWS.

At a meeting of the miners of French town Dist held at French Town Nov. 12 1854 the following laws were adopted

G. H. H. FORRESTER *Chairman*

WM. B. SCHENCK *Secy.*

1. *Resolved*, that French Town Mining district shall embrace all mining land drained by French Creek from a line running from the north side of the Sugar loaf to Shingle Springs Ravine on the west and to Big Cañon on the East and from thence to its junction

2. *Resolved* that creek claims shall not exceed one hundred feet running lenthwise of the Creek, and two hundred feet across. And ravine claims shall not exceed one hundred and fifty feet by two hundred feet across the ravine.

3. *Resolved* that in Hill or Coyote diggings the claim shall not exceed one hundred and fifty feet square and every individual or company shall be entitled to fifty feet in width at the commencement of their tunnel and running to their claims. The first discoverer of such diggings shall be entitled to an extra claim.

4. *Resolved* that Quartz claims shall not exceed one hundred and fifty feet in lenth including the dips on angles of the vein and the first discoverer is entitled to an extra claim.

5. *Resolved* that a man is entitled to hold a creek a ravine or Surface Claim and a Tunnel Claim.

6. *Resolved* that a man shall be required to work at least one of his claims once in seven days to hold them if workable except in case of sickness.

7. *Resolved* that a claim shall not be considered workable unless water can be had free of charge.

8. *Resolved* that there be a recorder elected whose duty it shall be to keep a book for recording of claims and shall be intitled to a fee of twenty five cents for each and every claim recorded and furnish his own stationery—That his books be open for inspection at all reasonable times.

9. *Resolved* that a persons title to a claim shall not be considered good unless he has staked or marked his boundry and had it recorded except he is engaged in working it.

(True copy.)

At a meeting held Jany 3rd 1858.

Resolved that Ravine flat claims be extended to 300 feet in lenth and as wide as the parties may wish provided it takes no other Ravine or Gulch.

Resolved that creek claims be extended to two hundred feet in lenth and remain the same width as in the old laws [200 ft]

JOHN ROBINSON *Chairman.*

WM. S. DIKEMAN *Sect.*

At a meeting of the miners held on April 6, 1859.
On motion of Moses Knight seconded by L. S. Waters
The price of the recording of a claim will be fifty cents (50 cts).
(Carried).

JOS. EDWARDS *Chairman.*

A. LYNCH *Sect.*

FRENCH CREEK *March* 20, '63

Pursuant to motion duly given the Citizens of French Creek Mining District met at g. Baratts for the purpose of enacting a code of Laws, governing Quartz Mining— Upon motion of Mr. Barns, Jackson, Robeson was chosen chairman and H. A. Lease sect.

Upon motion of M. Barns a committee of three consisting of Isaac Grist, E. C. Barns, William Bean was appointed by the President to report boundaries and Laws governing mining in the above District upon consultation the Committee reported the following resolutions.

Resolved 1. That we adopt the old boundaries of French Town District Placer diggings for the boundaries of gold, silver, copper cinabar or any other metals or minerals that may be found in any vains or ledges.

2. That every may be entitled to one claim on each lead or vain by record and one extra for the right of discovery to the discoverer.

3. That each claim shall be three hundred feet in length including dips angles and spurs—

4. That a notice shall stand good for 20 days and after that it shall be recorded or forfeited.

5. That each one shall be required to put five dollars ($5) worth of labor on his claim within 90 days after recording or forfeit his claim. A company may expend the amount in one place.

6. That the recording of claims shall be $\frac{50}{100}$ for each claim.

7. That a company may hold thear claims by one notice in the middle there of.

8. That all claimants shall drive a stake or bleze a tree at each end of thear claim or claims.

JOHN ROBINS, *President.*

H. AARON LEASE, *Sect.*

Miners meeting held at French Town Satdy Feb. 27 1875 · Adopted U. S. Laws.

YUBA COUNTY.—SUCKER FLAT MINING DISTRICT.

JANUARY 22nd 1855.

The miners of Sucker Flat and vacinity met persuant to notice for the purpose of taking into consideration the holding of claims until such time as the Excelsior Canal Co. may have completed their canal or until such time as water may be had in greater abundance and at reduced rates; proceeded to organize the meeting by electing J. Foster Pres. and C. Slack Secretary.

Moved that in consideration of the incompleteness of the present laws and that they are ill adopted to the wants of this community at the present time a committee of five be appointed to revise them.

Adjourned.

ADJOURNED MEETING *January* 25th 1855.

Committee Reported as follows.

Whereas at a meeting of the miners of Sucker Flat mining district called for the purpose of taking into consideration the holding of mining claims until such time as water may be procured in greater abundance and at reduced rates and whereas at said meeting the present laws of the district were found to be incomplete unintelligible and ill adapted to the wants of the mining comunity at the present time, therefore be it resolved that the old laws as amended in the following articles be adopted to take effect from and after the twenty-fifth day of January A. D. 1855.

ARTICLE 1. *Resolved,* that the bounds of this mining district be as follows commencing at the junction of the ravine commonly known as the Timbuctoo Ravine with the main ravine emptying into Cordanay's Bar, thence running up the main ravine to the main road, thence along the main road to the crossing of Deer Creek, thence down the creek to its mouth, thence down the river to the ravine known as the McDonald ravine, thence across the ridge to the place of starting. All places within said bounds having representatives in this meeting.

ART. 2. *Resolved,* that each claim shall consist of one hundred feet running up and down a ravine ridge or flat by one hundred and twenty feet across the same.

ART. 3. *Resolved,* that no person shall be allowed to hold more than one claim by location at any one time.

ART. 4. *Resolved,* that a recorder shall be elected to record and renew all notices of claims in this Mining District and also to record all bills of sales of claims in the same as soon after as they shall have been made and executed as shall hereinafter be provided.

ART. 5. *Resolved,* that the Recorder be entitled to the sum of fifty cents for recording a notice or bill of sale and twenty-five cents for renewing a notice.

AR. 6. *Resolved,* that any person or persons locating a claim or claims shall have the same recorded within ten days after such location and if a company the name of each member of the co. shall be signed to the notice and also to the record either personally or by accordance with a verbal order.

ART. 7. *Resolved,* that all persons having claims shall be entitled to hold the same by one renewal until the first day of May next except as hereinafter made and provided.

ART. 8. *Resolved,* that from and after the first day of May next all claims shall be renewed by notice and also by record once every thirty days except that they be occupied by permanent tools to the amount of Fifty dollars or that actual work is being done on the same.

ART. 9. *Resolved,* that all claims shall be staked out within ten days after location whether by record or otherwise.

ART. 10. *Resolved,* that any person or persons who may purchase a claim or claims from a bona fide holder shall be entitled to hold the same.

ART. 11. *Resolved,* that all transfers of claims shall be recorded within ten days after the same.

ART. 12. *Resolved,* that when a company shall hold ten or more claims the working of one shall be deemed sufficient to hold the whole provided that if separated a notice be kept upon the remainder stating the same.

ART. 13. *Resolved,* that any person who shall be permitted by sickness from working or renewing his claim shall not for that reason forfeit the same.

ART. 14. *Resolved,* that all laws heretofore existing having reference to this Mining district which may conflict with any of the foregoing be and are hereby repealed.

ART. 15. *Resolved,* that nothing contained in the foregoing articles shall be so construed as to conflict with the rights of miners holding claims under the former laws of this district

J. FOSTER
J. MULLIN
MR. RILEY
J. D. HALL.
S. MURPHY
Committee

JAN 25th 1855.

At a meeting of the miners of Sucker Flat held Dec 31, 1855, The following additional laws were adopted.

1st. That individuals or companies holding claims immediately along side of or adjoining flumes in opening the same shall have the privilege of running along side of same keeping a proper distance so as not to injure or endanger the flume 18 boxes until he or they have worked into his or their own ground sufficient to set in 18 boxes after which time the first 18 boxes shall be removed and placed so as to empty into the head of the flume or some convenient point provided he or they shall at no time have less than 18 boxes on his own ground.

2nd. That individuals or companies holding upper or back claims whose convenience requires an outlet through claims below, they shall notify the owners of claims below them who shall in a reasonable time proceed to cut an outlet in which case the upper claim holder shall have the privilege of placing 20 boxes in said cut or outlet, the upper claim holders cutting their own part of the same & after the tailings and water pass through said 20 boxes the same shall be the property of those owning the ground and putting in the cut. Provided that at such time as the owners of the ground where the 20 boxes is set may wish to work the same nothing herein contained shall be so construed as to interfere with the working of the same.

3rd. That in case the owners or claim-holders shall refuse to make the cut or outlet as described in resolution 2d then the upper holders shall have the privilege of making the same in a good substantial manner (the parties making to have and own the same) The dirt or gold taken out of the cut to recur to the owner of the ground through which the same may pass.

4th. That all disputes & litigations that may occur in the district shall be settled by arbitration each party selecting two and the four the fifth whose decision shall be final which we pledge ourselves to maintain

5th. That a committee of two be appointed to wait on Mr. Snyder the ex Recorder and procure the Books. They to be handed over to the Recorder elect and that the additional laws part of the minutes of Dec 31st 1855 be recorded

S. W. LADON, *Pres.*
G. WHITNEY, *Sec't.*

MINUTES OF A MINERS MEETING HELD FEBRUARY 10 A. D. 1868.

Persuant to notice a large meeting of the miners of the Sucker Flat mining district met at the store of Daniel Doughty, Monday evening February 10th '68.

The meeting was organized by the choice of J. W. Taylor as chairman Wm. Carpenter Secretary and Jas. S. Gordon ass't sec't'y.

Mr. John Rose offered the following preamble and resolution which after being read by the chairman was unanimously adopted.

Whereas in the year one thousand eight hundred and fifty-six in or about the month of November the miners of this district met according to notice and passed a law declairing that all claims located back of the front claims should not be considered forfeited by reason of not being worked until the claims in front of them should be washed or worked out. Also that all claims that had work done on them to the value of fifty dollars shoul l not be subject to forfeiture at any time thereafter but the lawful owners of such claims should be considered to have acquired a vested right in the same.

And whereas said laws cannot be found or their disappearance be accounted for, now therefore,

Resolved that said laws the substance of which is set forth in the foregoing preamble shall be considered in full force and effect the same as if said laws were still to be found on the books of record from date of their enactment.

It was moved that the above Preamble and Resolution be dated and certified to by the chairman and Secretary and handed to the recorder for record together with the minutes of the meeting, which was carried unanimously.

On motion meeting adjourned

Sucker Flat *Feb* 10th 1868.

J. W. TAYLOR *Chairman*
WM. CARPENTER *Sec't.*
JAS S. GORDON *Ass't Sec't.*

Recorded Feb 17th 1868.

DANIEL DOUGHTY *Recorder.*

EL DORADO COUNTY.—SMITH'S FLAT MINING DISTRICT.

HILL LAWS.

[No date of adoption is given.]

1st. Hill claims shall be one hundred and fifty front and running to the center of the hill. Two or more holding claims may form a company to work any one of them without being compelled to work each one of them.

2nd. Any miner shall forfeit his claim by neglecting to work it one whole day in every seven between the first of July and the first of December.

3rd. Any Miner or company of miners finding new diggings in this district shall be allowed to locate and hold one extra claim for each member of the company so finding on any vacant hill ground in the District.

4th. Any tunnel company that shall have expended two hundred dollars upon giving to the Recorder of their intention to leave their tunnel shall not forfeit the same provided they resume work within six months of the time of giving notice.

Resolved, that the old code of laws be repealed and the above be published in the "Mountain Democrat".

J. F. MARTIN, *President.*

W. F. JESS, *Secretary.*

At a meeting of the miners of Smith's Flat on the evening of the 20th of February 1855, J. F. Watson was called to the chair and W. P. Jess appointed secretary and the following laws for the government of Smith's Flat District were unanimously adopted.

SURFACE AND RAVINE MINING LAWS OF SMITH'S FLAT DISTRICT.

1st. The boundaries of Smith's Flat District shall be as follows viz: Beginning at the Southeast corner of Negro Hill District running east to the house of Mr. Vosburgh on the immigrant road.—thence south to Chunk Canyon embracing the same.—thence down to Cooper & Co's Coon Hollow ditch—thence westward along said ditch to Spanish Hill District, thence north to the south line of Negro Hill District thence east to place of beginning.

2nd. The size of surface and Ravine claims shall be 50 by 100 yds each miner may hold two claims.

3rd. Any person holding a claim shall forfeit the same by neglecting to work it one whole day in every seven from the first of December to the first of July provided a sluice head of water can be obtained.

4th. Digging a ditch or making sluices or a reservoir to be used for the claim shall be considered as work done on the same.

5th. Any person having two claims may hold both by working either as required by Article 3rd.

6th. All claims must be recorded by a Recorder duly elected or a deputy appointed by him.

7th. [*Repealed Feby* 12th 1873.] Any difficulty that may arise relative to mining interests shall be referred to a Jury of the Miners—two to be chosen by the parties and the third by those two. The Jurors shall be entitled to receive two dollars each as fees to be paid by the party calling the same, to be deposited with the Recorder prior thereto.

8th. Any miner who wishes to prospect any vacant land may have three days to prospect without recording it by leaving his tools on the same marking the boundaries and posting notices on the same.

9th. Any person having a claim that requires a tail race shall have the privelege of cutting the same through claims below provided said cutting does not interfere with the working of such, but in no case shall he be allowed to accumulate tailings to the detriment of working such lower claims.

10th. The annual meeting of this District shall be held on the second Tuesday in February. for the election of Recorder and revision of the laws and such other business as may come before the meeting. Ten day previous to which time written notice shall be posted in this district setting forth the business to be acted upon.

11th. It shall be the duty of the Recorder to record all claims that he may be requested to record—putting a stake or permanent mark at each corner and putting notices on each claim giving the number and date of the record and the name of the person locating the same. And he shall make an entry in a book kept for that purpose of all claims he may so locate, describing their locality. He shall receive for each claim he so records and marks out one dollar. All books and papers belonging to the office shall be delivered by him to his successor in office. He shall make an entry of all transfers of claims and all notices of intention to work claims and shall receive twenty five cents for each claim included in such transfer or notice.

12th. [*Repealed Feb.* 12, '73.] Every person living in this district with his family shall be allowed one claim for gardening purposes provided the same is fenced without having to work it as a mining claim.

13th. Every miner leaving his claims unrepresented shall notify the Recorder of his intention to resume labor upon them within the time prescribed by the laws of the District and all transfers of claims shall be entered on the Recorder's books, the fees to be paid by the party transferring.

14th. Any miner shall not forfeit his claims when not working them when sick or disabled.

15th. It shall be the duty of the Recorder to keep his records open for inspection at all times and shall not allow them to go out of his custody at any time.

Pursuant to a notifycation by the Recorder of Smith's Mining District the miners met on Wednesday eaveening February the 12th 1873 for the purpose of electing a recorder The meeting was organized by electing Mr. J. T. Moore president and F. B. De Witt Secretary The president then appointed Mrs. Robert Coe and Joseph Lyons to act as tellers nominateon wast then declared to be in order.

Mr. W. P. Carpender, Mr. F. F. Watson and Mr. James Creighton sr. was placed in nomination for the office of Recorder.

A vote was then taken whitch resulted as follows there being twenty-eight votes cast in all, Mr. J. F. Watson received fifteen, Mr. W. P. Carpender thirteen, Mr. James Creighton none. Mr. J. F. Watson having received a majority of the whole vote cast was declared duly elected recorder of the Smith's Mining District.

On Motion section seventh and section twelfth of the mining laws of siad district were stricken out.

On Motion section 15th was amended to read as follows and he shall not let the Books go out of his hands there being no further buisness on motion the meeting adjourned.

Mr. J. T. MOORE, *President.*

F. B. DE WITT, *Secretary.*

SISKIYOU COUNTY.—LOWER HUMBUG CREEK MINING DISTRICT.

MINING LAWS.

At a meeting of the miners of that part of Humbug Creek lying between O. K. Roundheds trading post and the mouth commonly known as Lower Humbug held at Round tent bar April 7th A.D. 1855 John H Fuller was chosen chairman and Glover Laird secretary.

On motion the laws passed in February 1852 were read and a committee of the following gentlemen were chosen to draft new Laws: W. W. Johnson Nathan Hull P. C. Peters C. A. Strong Daniel Ream comtte.

The Committee reported the following Laws which were unanimously adopted:

RULE 1st. Each and every claimant shall be entitled to hold fifty yards up and down the Creek embracing the banks on each side of the Creek from bluff to bluff.

RULE 2d. Where two or more adjacent claims are taken by different individuals at one and the same time the backwater of the lower claimant shall in no case be allowed to interfere with the other.

RULE 3d. When a claimant occupies a claim previously to the taking of the adjacent one next above, he shall be allowed the privilege of puting in a dam at the upper end of his Claim the subsequent claimant above if any being compelled to terminate his race at the head of the race below nor shall the backwater of the lower claim in such case be considered an incumbrance to the one above.

RULE 4th. A Notice stating the date of Posting and the name of the Claimant thereof posted in a conspicuous part of the claim shall be considered sufficient to hold such claim for the space of three days from the date of posting thereof, after the expiration of the said time if no work shall have been done upon the same it shall be considered as forfeited and renewal of such notice at said expiration shall in no case be allowed to hold possession.

RULE 5th. In case where claims or part of a claim is not workable on account of obstruction, the owner of such claims shall retain possession of the same for the space of three days after the removal of such obstruction.

RULE 6th. The tools upon a claim shall be considered sufficient to retain possession for the space of three days after cessation of work provided that such cessation be not caused by sickness, in such case the claim shall not be considered as forfeited until the recovery of said claimant

RULE 7th. Each claimant shall be allowed to hold one claim by preemption and one by the right of purchase at one and the same time. Provided both are worked according to the foregoing rules.

RULE 8th. Any number of men taking adjoining claims may work, and work one claim without the forfeiture of the other.

JOHN. H. FULLER *President*

GLOVER LAIRD *Secretary*

W. W. JOHNSON
H HULL
CHAS A STORY
DANIEL REAM
P. C. PETER
Committee

STATE OF CALIFORNIA
County of Siskiyou

Personally appeared before me a Justice of the Peace of Humbug Township Daniel Ream, one of the within mentioned committee who being duly sworn says that the within is a true Copy of the laws made by a meeting of the for lower Humbug Creek

DANIEL REAM

Sworn and subscribed to before me, this 9th day of A D 1855.

EDWARD S. MURY, *Justice of the Peace*

Filed by ——— April 9th at 3 o'clock p. m

H G FERRIS *Recorder*

Recorded April 10th 1855 at 10½ o'clock a m

H. G FERRIS, *Rec*
by H. C CLARK

CALAVERAS COUNTY.—ANGEL'S MINING DISTRICT.

LOCAL MINING LAWS.

Quartz mining laws of Angels District passed on or about July. 20 1855.

ARTICLE 1st. Any person or persons locating a claim (Quartz) shall put a notice at a point where the claim commences stating the probable direction of the vein, the extent to which it is claimed and the name of the party or parties interested therein—

ARTICLE 2nd One hundred feet (100) shall be allowed to each man on the length of the vein, by one hundred and fifty (150) on each side of it or He may take more on one side than on the other, but the claim shall not exceed three hundred feet width on the surface. The discoverer shall be entitled to fifty (50) feet additional on the length of the vein.

ARTICLE 3rd He or they shall have the right to all the Dips Spurs or angles of every vein originating on the claim. We understand that a vein originates on or below the surface running downwards and not from below running upwards so that no person or persons locating a claim on either side of the Boundries of another shall have a right to a vein running through his or Their claim that originates as above understood on the claim first located but no man shall have the right to follow a vein n the length of it beyond the perpendicular line of his Boundary

ARTICLE 4th (Amended March 24 1860) Miners shall be compelled to perform one day's Bona Fide work on the claim or claims every thirty (30) days from the first day of April to the first day of December if they should fail to do so Their claim will be considered as forfeited and open to other Parties

ARTICLE 5th Any time spent in erecting Machinery, building or in any way for the use of the Mine shall be considered as work done on the claim.

ARTICLE 6th Every Quartz claim shall be recorded within the first thirty (30) days after the notice has been put up. The Record book shall be kept by the Justice of the peace who shall record every claim therein and shall deliver a copy of the Record to the parties interested The Judge shall receive for his trouble the sum of two dollars for recording and delivering its copy to each company—The record shall be open at all times free of expense to all parties whose claims are therein recorded.

ARTICLE 7th All surface claims will expire on any claimed Quartz vein when the surface earth gives out and the Quartz vein or ledge begins.

ARTICLE 8th In case any member of a company shall be unable to work on account of sickness, his claim shall be respected

ARTICLE 9th All Laws passed heretofore conflicting with the present Laws shall be null & void from the adoption of the present.

ARTICLE 10th A copy of these laws shall be placed in the hands of the Justice of the Peace and two or more copies posted up in camp.

We the undersigned officers of the above-named meeting certify the above to be a true report.

JOHN HIGGINS *President*

SAM PLARME *Sec'y*

Amendment to art. 4. adopted March 24th 1860 reads that Ten days (10) per year must be performed instead of one day out of thirty (30) as formerly.

BUTTE COUNTY.—OREGON GULCH MINING DISTRICT.

LAWS REGULATING PLACER DIGGINS PASSED DEC. 29TH 1855.

At a meeting of the miners held at the store of G. W. Wilmot on Saturday, Dec. 22nd 1855 for the purpose of revising and amending the existing mining laws of Oregon Gulch District.

On motion H. J. Morrison esq. was called to the chair and G. B. Morrison acting secretary.

On motion it was resolved that two committees be appointed to draft laws for the District, one of said committees to draft laws for the government of Placer mining and the other to draft laws for the government of Quartz mining.

The following persons were appointed a committee on placer laws: John Crawford, Wm Hendricks and John J. Smith, and for Quartz Committee John Nisbit, Hammon Bay, James Hitchens and Horatio Wilson were appointed.

Moved: the recorder be authorized to furnish the District books to the Committee during their sessions, when the meeting adjourned to Saturday Dec. 29th 1855, to receive and act upon the reports from the committees.

Pursuant to adjournment the miners again met on the 29th of Dec 1855, at the store of Mr Wilmot. H. J. Morrison called to the chair and J. B. Morrison Secretary.

On motion, it was resolved that the report from Committee be received and the following resolution and by laws were adopted for the government of Placer mining:

SEC. I. *Resolved,* That this District shall embrace all the country within the following boundaries: Commencing at the junction of the Gossburgh Ravine with the main Oregon Gulch, thence in a due East course to the summit of the dividing ridge between Potters Ravine and north Fork of Feather River up said ridge to head waters of said Potters Ravine, then in a westerly direction to the dividing ridge between the waters of Oregon and Spring Valley gulches, along said ridge to the Table mountain, thence west to the centre of said mountain, thence in a southerly direction down centre of said mountain to a point due west from place of commencement, thence east to place of commencement.

SEC. II. *Resolved* (1), That all Placer claims within this District shall be known and classed as Hill and surface claims. (2) That Hill claims are those running in a pitching off from rim under surface or brow of hill or mountain (3) That surface claims shall include all claims heretofore known as Gulch Ravine, Flat Banks etc.

SEC. III. *Resolved* (1), That all surface claims shall be one hundred feet square, located as the claimant may see fit (2) That hill claims shall be one hundred feet front, running from rim, dip or brow of hill or mountain to centre of same with privilege of trail race on unoccupied ground.

SEC. IV. *Resolved* (1), That but one hill claim can be held by the same person, which may be held over and above legal surface claims. (2) That in Surface claims two claims a piece may be held one by pre-emption and one by purchase. (3) That any person or company discovering new diggins seperate and distinct from any heretofore worked may claim and hold one extra claim.

SEC. V. *Resolved* (1), That any person or company laying a claim or claims shall be required to place a notice in some conspicuous place thereon. distinct by defining the boundaries of the same. (2) That said notice shall not hold good for a longer term than four days after taking up said claim.

SEC. VI. (1), That a claim shall be considered workable when a tom-head of water can be conveniently obtained without purchase. (2) That after evident indications of working a claim in good faith have been made, a notice may hold good for ten days only. (3) That in case of sickness, a claim may hold good by notice and renewal every ten days until such claimant is able to work it, in which case notice shall specify the reason of such claim not being worked. (4) That after labor has been performed to the amount of Two hundred Dollars to each claim or shall in prospecting for hill diggins said claim or share shall hold good by recording for six months without work or renewal.

SEC. VII. *Resolved* (1): That any person or persons recording a claim or claims shall appear each of them personally before the recorder and sign his own name to the record. (2) That any person or company recording a claim or claims shall be required to specify and distinctly defined the boundaries and location and name, the gulch, ravine, hill or flat, and the particular part of which said claim or claims are located. If not so distinctly described and defined as to be easily found, such record shall be considered worthless.

SEC. VIII. *Resolved:* That unworkable claims may hold good by recording and placing a certificate of record in some conspicuous place on said claim or by ordinary notice renewed every ten days until such claims become workable

SEC. IX. *Resolved* (1): That any person owning two claims may hold them both by representing but one when such claims are in connection.

SEC. X. *Resolved* (1). That any person or company may divert the water from any creek gulch or ravine, for mining purposes, providing that enough water be left in the natural channel to work the bed of such creek, gulch or ravine. (2) That reasonable reservoir claims shall be respected through mining claims may be taken up under them and held as unworkable. (3) That all dams for elevating water for the purpose of working banks or flats shall be considered ditch property.

SEC. XI. *Resolved* (1): That an election for Recorder may take place at any regular meeting of the miners in the District (2) That he shall have one dollar for recording a single claim and giving a certificate of the same and fifty cents for each additional claim in the same record. (3) That he shall keep two sets of books seperate and distinct from each other, one in which to register the laws of the district and the other for recording claims in. (4) That it shall be his duty to number each record with a corresponding number on the certificate, giving each record the date on which it was presented for record. He shall record each record in regular order as presented. (5) That he shall keep these books within the district, an in no instance shall he allow them to go out of his possession, unless upon an order from a court of justice, or a written order from persons who are chosen to arbitrate disputes between miners in which cases due precaution shall be taken for their safe and immediate return. (6) That said books shall be open for the free inspection of the miners at all reasonable hours. (7) That he shall act as secretary of all regular meetings of the miners, and keep minutes of all business transacted thereat. (8) That he at any time upon the application of ten miners or more call a meeting by causing notices to be posted up in not less than three public places within the district and giving at least ten days notice therefor and signing the names of persons calling the meeting and setting forth the object of the same.

SEC. XII. *Resolved:* That all recording must be done with the District Recorder.

SEC. XIII. *Resolved* (1): That all laws heretofore existing within the district are hereby repealed. (2) That two copies of the above laws be posted in two public places in the district by the recorder or some person appointed by the miners.

J. J. Smith appointed.

Amendment to Art. I Sec 3rd.

Thall all surface claims shall be Two hundred and fifty feet in length and one hundred feet in width.

Adopted at a miners meeting held at Oregon City—June 17th A. D. 1861.

JAMES ARMSTRONG *Chairman.*
S. B. MORRISON *Secty.*

Quartz Laws.

[For Preamble see Placer Laws.]

SECT. I. The boundaries of this district shall be the same as those described in the Placer laws.

SECT. II. Each seperate claim on a Quartz Vein or Ledge shall be one hundred and fifty (150) feet in length with all its dips and angles banch, veins etc. And any person or persons discovering a Quartz Vein or Ledge, shall be entitled to one extra claims.

SECT. III. Any person or company taking up or making a Quartz claim, shall post a notice in some conspicuous part of the vein, describing the distance and extent of said claim and signed by all the parties interested and bearing date of the time when such claims were located or made, and shall within five days after such time furnish the District Recorder with a true copy of such notice with a full description annexed of the particular location and boundaries of the same.

SECT. IV. Within six months after any Quartz Claims shall have been taken up or made, the holder of each claim shall be required to make some permanent improvement to the amount of one hundred ($100.00) dollars, such as sinking a shaft running a tunnel or erecting machinery on it, and such holder shall continue to make said improvement to the same value every six months until he shall have expended Five Hundred ($500) dollars, then it shall be lawful for them to leave their claims or works idle for any length of time not exceeding one year.

SECT. V. No Joint Stock Company shall be obliged to work or improve more than one of their claims at the same time *providing always* That they are all connected together and laying within the same bounds. In all other cases they shall be worked seperately and be governed by the preceeding resolutions.

SECT. VI. No person except the Discoverer shall be allowed to hold more than one claim, unless it be by purchase and any person or persons laying claims shall immediately file with the District Recorder a certificate of the number of claims, where situated and from whom bought and the possession and working of such claims, shall be governed by the same laws and regulation as all other claims herein provided for.

SECT. VII. All Quartz Notices and certificates put in possession of the District Recorder, shall be filed and retained in his office, for future reference and in no case shall he allow them to go out of his possession unless it be to his successors office, or as evidence in some Court of Justice in this State.

SECT. VIII. All matters of difference arising between different companies of Quartz miners about their claims or privileges in working them shall be refered to and decided by a Jury of six quartz miners, at the office of the District Recorder, at such time as the contending parties shall agree upon. Each of the contending parties shall select three persons, and in case that the Jury cannot agree they shall choose a seventh person to act with them and when they have once delivered their verdict, there shall be no appeal from their decision.

SECT. IX. When contending parties have agreed according to the provisions of the preceeding resolutions, they shall sign an article to be filed in the office of the District Recorder to the effect that they will abide by the decision of the Jury to whom they have submitted their case for trial.

SECT. X. All Quartz laws passed in this district prior to this time and conflicting with the provisions of the above resolutions are hereby repealed.

SECT. XI. The Recorder is requested to keep a seperate book the recording of Quartz claims and his fee for recording shall be one dollar ($1.00) for the first claimants name and 50 cts for the remaining names, and that he shall make a true copy of these laws in the Quartz Record Book. It is resolved that the sum of five dollars ($5) be paid to the Recorder for every arbitration held in his office by the contending parties.

SECT. XII. In order to call a meeting to repeal, modify or amend any of the above resolutions it shall be necessary for at least ten Quartz miners to sign a petition and deliver it to the Recorder, praying that such a meeting be called, whereupon the Recorder shall give at least ten days notice by posting notice in at least six. of the most public places in the District setting forth the object of the call and the names of the persons requesting it.

Resolved, That the laws regulating Quartz mining take effect thirty days from this date.

H. J. MORRISON, *Chairman.*

S. B. MORRISON, *Secy.*

Amendments to Quartz Laws.

SATURDAY *August 13th.* (No year specified.)

Quartz Laws, Sect. 4th was amended to read as follows:

That within six months after any Quartz Ledge shall have been taken up the shareholders or company making the location shall be required to expend on said claim five days work per month during the first six months after said location and said shareholders or company shall continue to make permanent improvements to the value of one hundred dollars every six months thereafter until they shall have expended five hundred dollars in permanent improvements. Then it shall be lawful for them to leave their said claim or works idle for any length of time not exceeding one year.

Sect. 11. was amended as follows:

Resolved: That the fee of the Recorder for recording shall be fifty cents for the first claim and twenty-five cents for each aditional claim in the same record.

At a meeting of the miners held at Oregon Gulch on Monday June 17th 1861 for the purpose of revising and amending the existing laws governing hill diggins of Oregon Gulch District Jos. Armstrong chair S. B. Morrison sec'y.

Report of the committee appointed to revise and draft laws governing Hill claims, J. M. Nash, E. C. Rider Ed. Seymore, Thomas Belew, G. R. Fitzgerald.

Resolved:

ART. 1st. That a Hill claim shall be one hundred and fifty feet front running to centre of Table mountain.

ART. 2nd. That in all Hill Diggins in the district each person may hold but one claim by pre-emption.

ART. 3rd. That all Hill claims may be recorded by the District Recorder. Each claimant shall be required to perform five days labor on the said claim after he takes it up within thirty days and three days every succeeding thirty days until labor is done to the amount of fifty dollars after such labor is performed he or they shall hold the same for six months, after that period of time such claim shall be held good for six months.

That for the first record of each claim. The recorder be allowed one Dollar for recording a single claim and giving a certificate of the same and fifty cents for each additional claim in the same record, and half of the above price for each renewal of the same record.

ART. 5. That it shall be the duty of the recorder to go with each person locating a claim or claims in the Table land in this District and set the stakes for such person or persons.

ART. 6. That all laws heretofore existing within this district governing hill claims are hereby repealed.

On motion of Ed. Seymore S. B. Morrison was elected recorder.

JOS. ARMSTRONG *Chairman*

G. B. MORRISON *Secy.*

On the third Saturday of February 1872. The following amendments were adopted at a miners meeting

Resolved 1st. That Gulch and Flat claims will consist of 250 feet square and Hill claims 150 feet front running to the centre of the hill or mountain. Said hill claim defined as Tunnel and Drift mine.

2nd. Gulch and Flat claims may be located by posting a notice on the same describing the number and extent of the claims or may be held by working without recording as long as he is in possession. In the event of leaving or not working in thirty days it will be necessary to record the same. Otherwise it will be considered abandoned. After expending $100.00 in labor on the claims and recording them, he may remain in possession for 12 months without doing any additional work

3rd. *Resolved*, That Section third passed at the meeting of June 17th A D 1861 be amended so as to allow six months in which to expend $50.00 on such claim. Also that the word (shall) be substituted for the word (may) be recorded in the same section.

All laws or parts of laws conflicting with the above are hereby repealed.

SISKIYOU COUNTY.—ORO FINO DIGGINGS MINING DISTRICT.

MINERS LAWS.

At a meeting of the miners of the *Oro Fino* Diggings Scott Valley Siskiyou County Cal held *February* 6th 1856, Joseph Barker was elected chairman and Robert Atherton secretary and the following laws were passed.

First. The Gulch claims now held by Mr Joseph Barker and the flat purchased by him with the ditch be respected as his property

Second. Each miner shall be allowed one claim of one hundred Yards in length and fifty yards in width on the gulches and flats by location, and as many as he wishes to purchase provided he works them when in a workable condition. The boundaries of all claims must be distinctly designated by stakes or some other visable marks and when not worked, by notice.

Third. Claims shall be considered in a workable Condition when water can be procured, and every claim must be worked at least one day in seven unless prevented by some unavoidable circumstances.

Fourth. Each claim must be recorded by a recorder Elected for that purpose who shall not charge more than one dollar for his services.

Fifth. That these laws be sent to the County Clerk to be recorded by him.

JOSEPH BARKER, *Chairman.*

R. ATHERTON, *Secretary*

Filed for record February 8th 1856 By Mr Chase at 12 o'clock, m.

H. G. FERRIS, *Recorder*
JONAS W. BROWN *Dep.*

Recorded February 9th 1856 at 8 o'clock a m.

H. G. FERRIS, *Recorder.*
E. M. ANTHONY

YUBA COUNTY.—ODD FELLOWS AND OHIO FLAT MINING DISTRICTS.

OHIO FLAT DISTRICT

Persuant to notice the people of Oddfellows District held a meeting at the store of L. Wesson on the 8th March 1856 for the better security of their mining interests, the following motions were adopted W. W. Ferguson appointed Chairman and T. A. Steel secretary.

1st. Motioed that the District formaly called Oddfellow District be divided, which was adopted.

2nd. Motioned that the line of fence dividing the Ohio Flat and New York Ranch be the line dividing said district and that the western part be called Ohio Flat District including Ohio Flat, Garden Ranch and all the streams running into them which was adopted.

3rd. Motioned that the chairman appoint a committee of six to draft a coad of laws for the government of the mining in trusts in said District which was adopted.

4th. Motioned that this meeting adjourn to Saturday 15th inst at 2 o'clock p. m. which was adopted.

W. W. FERGUSON, *Chairman.*

THOS. H. STEELE, *Secy.*

The people of Ohio Flat district met persuant to adjournment Saturday 15th 1856, the report of the committee was read amended and adopted as follows:

Caption: A coad of laws for the better security of the interests of the miners holding claims in the Ohio Flat District in Yuba County California.

LAWS OF OHIO FLAT DISTRICT.

SECT. I. The South eastern boundary of the Ohio Flat District shall be the line or fence dividing the Ohio and New York Ranche and said districts shall embrace all Flats, Ravines, gulches and intermediate hills to the centre of the dividing ridge dividing the waters of said Ohio Flat District from the Feather River and that of the Horncut Creek.

SECT. II. All persons (Chinamen excepted) are entitled to one claim by pre-emption and as many as they may lawfully purchase, provided each claim is represented by one hand to two claims when the said claims are connected.

SECT. III. All claims on the Flat shall inbrace the most prominent channels or lead in said Flat or from bank to bank and all Ravine claims shall be one hundred feet square or from bank to bank and all Hill claims shall be one hundred feet square

SECT. IV. All Flat claims shall be considered workable from the 1st. day of June to the 1st. day of November of each successive year if there is sufficient water and all Ravine claims shall be considered workable when there is sufficient water in said Ravine and must be worked in ten days after water can be had at a reasonable price or forfeited.

SECT. V. The water in each Flat, Ravine, or Gulch shall be governed by the usages in said District.

SECT. VI. Each and every individual or company claim (when not considered workable) shall have a notice posted in some conspicuous place on said individual or company claim discribing the bounds and extend to said claim or claims, and have said notice regularly recorded on the district records book, or renewed every ten days.

SECT. VII. There shall be a recorder chosen for this district whose duty it shall be to faithfully record all claims filed with him for that purpose, and certify the recording of the same on said notice For which the Recorder shall Receive one half dollar for each entry on the Book of said district and it shall be further the duty of the Recorder to post up a notice in the most public place in said district when any respectable number of claim-holders shall desire to change the laws of said district and give at least ten days notice of the time and place of said meeting.

On motion W. W. Ferguson was chosen Recorder of said District.

On motion the meeting adjourned *sine die.*

W. W. FERGUSON *Chairman*

THOS. H. STEEL, *Secretary.*

NOVEMBER 12th 1857.

Meeting organized by choosing H. S. Maddox President of the meeting and H. M. Eddy Secretary.

On motion of H. M. Eddy it was moved and supported that we establish a Quartz Mining District having for its boundaries the county line between Yuba and Butte counties on the (North) The top of the ridge on the east side of Leeston Ravine and New York Flat on the (East) Dry Creek on the (South) The top of the ridge on the west side of New York and Ohio Flat and Garden Ranch on the (West) to be called the Ohio Flat Quartz Mining District which motion was carried and said Quartz Mining District as therein described duly established by a unanimous vote.

On motion of Mr. Roberts it was moved and supported that all laws now in force for the regulation of Quartz Mining (if any there be) within the limits of this district as now established be repealed which motion was carried and all such laws repealed by a unanimous vote.

The following laws were then read before the meeting.

SECT. I. There shall be a recorder elected at this meeting who shall hold his office for one year or until a successor is elected. The election shall be *vivaroca* and in case the office shall become vacant by removal resignation or otherwise any person who may have the records in possession may act as a deputy until another is chosen.

SECT. II. The duty of the recorder shall be to give notice of all meetings in the district on the written application of three miners of the district by posting up three notices in three of the most public places in the district at least six days before such meeting. It shall also be his duty to keep a record of the proceedings of all such meeting and to record all Quartz claims presented to him for record that have not before been recorded in a book to be kept for that purpose for which service he shall be entitled to a fee of one dollar for a single claim and Two dollars for a company and also upon application for a certificate of due compliance with law of the district he shall visit the Quartz claim or claims and being satisfied that the amount of labor as hereinafter provided has been done on said claim or claims he shall issue a certificate to that effect to the owner or owners thereof for which service he shall be entitled to a fee of Five dollars.

SECT. III. All Quartz claims within the limits of this district shall be Three hundred feet long together with all the branches, dips and angles and slides and no person shall be entitled to hold more than one claim by location.

SECT. IV. On the location of a Quartz claim or claims the locator or locators thereof may hold the same for ten days by posting a notice on said claim or claims and if duly recorded within said ten days the owner thereof shall be entitled to six months from the date of the record to make improvements thereon to the amount of Fifty dollars to each claim which when done shall entitled to a certificate from the recorder as specified in sect. 2. of due compliance with the laws which certificate shall entitled the owner or owners thereof to one year from the date of the certificate for actual operation and showing a bonafide intention of working and developing said claim and a full compliance with these laws shall debar any other person from jumping such claim.

SECT. V. Any person not satisfied with the decision of the Recorder in granting a certificate as specified in sect. 2 may appeal to the decision of three disinterested persons one of which shall be chosen by the Recorder and their decision shall be final.

SECT. VI. All difficulties and disputes arising between parties in regard to Quartz claims within the limits of this district may be adjusted by calling a meeting for that purpose.

SECT. VII. The record of all Quartz Claims that have been heretofore recorded according to the requirements of any laws that may have been in force prior to this time may be transferred to the records kept by the requirement of these laws by the presentation to the Recorder of a certificate of its former record and payment of one-half the regular fee for recording.

SECT. VIII. The laws may be altered or amended at any meeting by a majority present, providing there shall have been notice of such an alteration or amendment given in the notice of the meeting calling it.

After reading the above laws on motion of R. B. Fry they were passed by a unanimous vote for the government and regulation of Quartz mining in the Ohio Flat District.

Mr. H. M. Eddy elected recorder.

Meeting adjourned.

H. M. EDDY, *Secretary.*

By laws of Ohio Flat, May 15th 1858.

Pursuant to notice the miners of Ohio Flat District met at the store-room of Wm. H. M. Eddy's for the purpose of electing a Recorder, revising the old by-laws and enacting new laws in relation to holding mining claims in Ohio Flat & Garden Ranch Flat.

On motion H. M. Eddy was chosen chairman & H. S. Maddox requested to act as secretary of said meeting

On motion a committee of three viz. J. Whealdon, T. H. Steel & H. F. Roberts were chosen to revise the by-laws of this District & prepare a certain section with regard to holding mining claims, which by-laws were submitted to the meeting for adoption or rejection.

The By-laws of Ohio Flat mining Dist, as revised by committee and adopted by the above named meeting May 15th, 1858.

SECT. I. The southeastern boundary of the Ohio Flat District shall be the line or fence dividing the Ohio & New York ranches and said District shall embrace all Flats, Ravines Gulches and intermediate hills to the center of the dividing ridge, dividing the waters of said Ohio Flat District from the waters of the Feather river & that of the Honcur Creek.

SECT. II. All persons (Chinamen excepted) are entitled to one claim by pre-emption and as many as they may lawfully purchase, provided each claim is represented by one hand to two claims when the said claims are connected.

SECT. III. All Ravine or Flat claims shall be one hundred feet in length and from hill to hill.

SECT. IV. All Ravine claims when there is not sufficient natural water for working them shall hold good for one year by recording the same. When there is sufficient natural water the claim must be worked at least one day in ten or considered vacant.

SECT. V. The water in each Flat, Ravine or Gulch shall be governed by the usages in said District.

SECT. VI. Each and every individual or company claim (when not considered workable) shall have a notice posted in some conspicuous place on said individual or company claim, describing the bounds and extent of said claim or claims and have said notice regularly recorded on the district recorder's book, or renewed every ten days.

SECT. VII. There shall be a recorder elected once a year who shall receive fifty cents for recording each claim and it shall be the duty of the Recorder at the expiration of his term of office or when a respectable number of claim holders shall require it, to post notices, call a meeting to elect a recorder &c.

SECT. VIII. All claims in Ohio Flat & Garden Ranch Flat shall hold good till a certain Bed rock Flume (the construction of which is now commenced) is completed through said Flat by being recorded in the Recorder's book of this district.

SECT. IX. All claimants notices recorded in the record book shall show whether the claimant comes into possession by purchase or pre-emption of said claim or claims.

By a unanimous vote of the meeting Thos. H. Steel was elected Recorder of Ohio Flat Mining District.

On motion meeting adjourned sine die.

H. M. EDDY *Chairman*

HENLEY S. MADDOX *Secretary.*

ODD FELLOWS DISTRICT.

Laws.

In consequence of the Odd Fellows Mining District record book containing the laws and records of said District having been destroyed, the District assembled at the house of N. S. Williams in N. Y. Township, Yuba county, on Thursday the 15th September 1864 agreeable to previous notice. T. H. Steele was elected Chairman and G. N. Butler Secretary of said meeting.

On motion a committee of three composed of N. S. Williams, T. H. Steele and G. N. Butler were appointed to draft and report a code of laws to be submitted to an adjourned meeting.

On motion the meeting adjourned till the 24th inst. at 7 o'clock p. m.

T. H. STEELE *Chairman*

G. N. BUTLER *Secretary.*

At an adjourned meeting of the Odd Fellows Mining District held on the 24th day of September 1864 E. T. Shaw Chairman and G. N. Butler Secretary the committee reported the following laws which were unanimously adopted.

SECT. 1. This mining district shall be known as the Odd Fellows District and shall embrace within its boundaries the whole of N. Y. Flat and its tributaries excepting the Ohio Flat and its Tributaries

SECT. 2. All ravine claims shall be one hundred feet in length and shall extend from bank to bank or shall embrace the most prominent channel or lead.

SECT. 3rd. All Flat claims shall be one hundred feet in length and shall extend across the flat.

SECT. 4. A miner in this district may hold one and only one claim by pre-emption.

SECT. 5th. The name of each claimant pre-empting claims must be put on the notice.

SECT. 6. All ravine claims when there is sufficient natural water shall be worked one day in every ten. When there is not sufficient natural water they shall hold good by having a notice posted on them to be renewed every ten days or by being recorded in the Recorders book of this district. All claims on N. Y. Flat and Letson's Flat shall hold good until a certain Bed Rock Flume (the construction of which is now commenced) shall be extended up to said claims, by being recorded in the Recorders book of this district, and if not represented within three months after said Flume is extended up to said claims, they shall be considered vacated.

SECT. 7. There shall be a Recorder elected who shall hold his office for the term of one year or until his successor is elected whose duty shall be to record the claims of all applicants of this district, and at the request of a respectable number of claim-holders to post a notice to call meetings and shall receive the sum of fifty cents for recording each claimants claim.

EDWIN F. SHAW *Chairman*

G. N. BUTLER *Secretary*

SISKIYOU COUNTY.—LITTLE HUMBUG CREEK MINING DISTRICT.

LITTLE HUMBUG CREEK *April 8th A D* 1856

At a Meeting of the Miners of little Humbug Creek held at the House of James Masterson & Co. upon the 8th of April 1856 as aforesaid the following Resolutions were dopted after meeting was duly organised & Mr Wm W Johnson was appointed chairman & Mr S. L. Root secty the following committee to draft Resolutions. T. M. Kelley chairman of comtte John Hogan S L Root secty, Chas Vedder E. Crockett S M Fall John Kating C. H. Gray P. H. Poindexter Hinds Fuller S. G. Berry & B. C. Brewer.

ARTICLE 1st. *Resolved*, that the mining District district of Little Humbug Creek shall extend from the head of said Creek down to the junction of what is called the North fork and the following laws shall only have jurisdiction over the claims & mining privileges of said Creek as above specified in this article.

ART. 2. *Res*, that the claims on little Humbug shall be one Hundred yards in length extending up and down the Creek, and shall be one hundred and fifty feet in width & every claim holder on little Humbug may take his claim on both sides of the present of the creek or all upon one side or as part on either side as he may see proper.

ART. 3. *Res*, that no person shall be entitled to any more than one claim by location, but he may succeed to as many claims as he may obtaine by a & *bone fide* purchase providing he keeps them represented by a person working on each claim according to the provisions of art. 5 in this code of Laws.

ART. 4th. *Res*, that any miner or Company of miners shall have the privilege of Cutting a drain ditch through the ground below them in such a manner & position as will do the co below the least possible injury.

ART. 5th. *Res*, that all claims upon little Humbug while workable shall be represented by labor performed one day in every five Sundays excepted in order to hold the claim from being Jumped

ART. 6th. *Res*, that labor done at building a cabin on a claim or in prepairing or gettings tools or any mining apperatus or in doing any other kind of labor for the better working of any claim, shall be considered working it properly & shall hold the claim accordingly.

ART. 7th. *Res*, that no persons claim shall be jumpable on little Humbug while he is sick or in any other way disabled from labor or while he is absent from his claim attending upon sick friends.

ART. 8th. *Res*, That all disputes or difficulties about claims or Water privileges occuring in this mining district shall be settled by a majority of the miners in a miners meeting or by a jury as the parties may agree. A jury shall preferable if either party wish it, and in all cases the jury shall be chosen by the parties.

ART. 9th. *Res*, that no person shall have a voice or vote in a miners meeting or at arbitration that accurs in this mining District except he either holds a claim or is working in this mining district.

ART. 10th. *Res*, That all former laws in this mining district that in any way conflicts with these laws are hereby repealed and shall be considered null and void after this code of laws take effect.

ART. 11th. *Res*, that no miners or company of miners shall back water by a dam or otherwise upon the claim above them to the injury of the party holding the upper claim without their, the upper parties, consent.

ART. 12. *Res*, That no person or persons shall be allowed to divert the waters by a ditch or otherwise from Little Humbug to the prejudice of the miners working on the Stream.

ART. 13th. *Res*, That this code of laws shall not be hereafer modified or repealed except by a majority of the claim holders in this mining district.

ART. 14. *Resolved*, That no dam or reservoir shall be constructed in this mining district to Gather Water for the purpose of sluiceng with shall the water be detained in any aforesaid dam or reservoir later than seven o'clock a.m

ART. 15th. *Res*, that this code of laws shall take take effect & be in full force from this the of their adoption, furthermore, a copy of these laws shall be posted up in the most public place in this mining district. Also, a copy of them shall be kept by the secty of this meeting.

WM. W. JOHNSON *Chairman of Meeting*

S L. ROOT *Secty.*

Filed for record in the Clerks office April 9th A D 1856 by S L. Root

JONAS. W. BROWN *Recorder*
by M. C. WHITE *Deputy*

Recorded April 9th A D 1856

JONAS. W. BROWN *Recorder*
by. M. C WHITE, *Depty*

SIERRA COUNTY.—SAINT LOUIS MINING DISTRICT.

BY-LAWS.

At a meeting of the Miners of St. Louis District held at the Town Hall on the 6th day of July A. D. 1856 for the purpose of enacting Laws for the government of said District the meeting was organized by Ralph Ellis being called to the chair and Joel Eveland appointed Secretary.

Pursuant to the above mentioned meeting the following Laws were enacted.

ARTICLE I. In this district shall be included all the mining ground between Sackett's Ravine on the North Fork and Cedar Grove Ravine on the South and the dividing ridge between Slate and Canyon Creeks.

ARTICLE II. A claim shall consist of 100 feet square or 10,000 square feet and any person may hold two such claims by Location and one by purchase making in all three claims; And any person may hold three by purchase; but in no case shall any person hold more than three claims.

ARTICLE III. Any person holding a Mining claim in this District shall keep the angles plainly marked with Stakes and stating as near as possible the direction of the Angles and in addition shall keep a notice posted in some conspicuous place with all the owners' names signed to it.

ARTICLE IIII. Any person locating ground claimed by another party who are holding more than three claims may select such ground as he chooses provided that he does not take the ground on which the second party is at work.

ARTICLE V. Any person holding three claims in this District may hold the same by working one and renewing the others every thirty days during the mining season.

ARTICLE VI. The Mining Season shall be the months included between April 1st and July 1st all claims worked up to that date shall hold good from July 1st to April 1st without renewal.

ARTICLE VII. Any person holding a claim with another lying in front of it shall have the privilege of opening through said claim provided he pays the Damage assessed by the Miners chosen for the occasion.

ARTICLE VIII. The Sworn certificate of the Secretary of this meeting shall be a proof of the validity of these claims.

On motion it was agreed that a Copy of these proceedings be published in the Mountain Messenger.

Adjourned *Sine die.*

RALPH ELLIS *Chairman*

JOEL EVELAND *Secretary.*

TRINITY COUNTY.—DEMOCRAT GULCH MINING DISTRICT.

At a miners meeting of the miners on Democrat Gulch held on Wednesday Sept the 3 1856 The following rules and regulations were adopted

Resolved, that the boundary lines at present be respected and each man is entitled to one hundred yards as a claim in the gulch from bank to bank on the main rise of the bed rock.

Resolved, Bank or hill claims, one hundred yards front and running back as far as you wish to work.

Resolved, Gulch claims to be held by notice from the first of July to the first of October and said notice to be renewed every 22 days.

Resolved, Hill claims to be held by notice to be held by notice from the 1st of December to the 1st of May and said notice renewed every 22 days.

Resolved, claims deserted for 10 days when workable are subjected to forfeiture.

Resolved, In case of sickness claims to be held by notice and said notice to be renewed every 22 days

Resolved, Companys working the hills cannot run dirt on the Gulch claims provided the said Gulch claims have the oldest right

Resolved, That these rules be recorded in the Recorder's office.

JOHN FARRELL *Chairman.*

DAVID FARRELL *Secy.*

Recorded Sept 9th 1856.

SISKIYOU COUNTY.—MAINE LITTLE HUMBUG CREEK MINING DISTRICT.

BY LAWS.

MAINE LITTLE HUMBUG CREEK *Oct 8th A. D.* 1856.

At a meeting of the miners of Maine Little Humbug Creek held at the house of Mr Dixon on said Creek the following resolutions were adopted after the meeting was duly organized and Mr James Dixon was chosen chairman and L A. Rood secretary the following committee was appointed to draft resolutions. Byron Cox David Keneday, Patrick Cummins John Keneday, Patrick McDermit, Gumler Hansons Wm Carpenter, Jacob Reid Joseph Bemans Anthony Reid J. Feberns Ephraim Sweet.

ARTICLE 1st. *Resolved,* that the mining District of Maine Little Humbug Creek shall extend from the forks of said creek or little Humbug District to the mouth of Maine little Humbug Creek and the following laws shall have jurisdiction over the claims and mining privileges of said District specified in this article.

ART. 2d. *Res,* that the claims in this District shall be 100 yards in length extending up and down the Creek and 200 feet in width

ART. 33. *Res,* that no person shall be entitled to more than one claim by location, but he may succeed to as many claims as he may obtain by fair and bona fide purchase Provided he keep them represented by a person working on each claim, according to the proviso of art. 5th in this code of Laws

ART. 4th. *Res,* that any miner or company of Miners shall have the privilege of cutting a drain ditch through the Ground below them in such a manner and position as will do the Company below, the least possible injury

ART. 5th. *Res*, that all claims in this district workable shall be represented by labor performed one day in every seven in order to hold the claims from being jumped.

ART. 6th. *Res*, That labor done at building a cabin on a claim or in preparing or in geting tools or any mining aparatus or in doing any other kind of labor for the better working of any Claim shall be considered working it properly and shall hold the claim accordingly

ART. 7th. *Res*, that no persons claim shall be Jumpable in this district while he is sick or in other way disabled from labor or while he is absent from his claim attending upon sick friends.

ART. 8th. *Res*, that all disputes or difficulties about claims or Water privileges occuring in this mining district shall be settled by a majority of the miners in a miners meeting or by a Jury as the parties may agree a Jury shall be prefable if either party wishes it, in all cases the jury shall be chosen by the parties

ART. 9th. *Res*, That no person shall have a voice or vote in a miners meeting or arbitration that occurs in this mining district except he either holds a claim or is working in the mining district

ART. 10th. *Res*, That all former laws in this mining District that in any way conflict with these laws are hereby repealed and shall be considered null and void after this code of laws take effect.

ART. 11th. *Res*, that no miners or Company of miners shall back water by a dam or otherwise upon the claim above them to injury of the party holding the claim above without their (the upper companys) consent

ART. 12th. *Res*, that no person or persons shall be allowed to divert the water by a ditch otherwise from this district injurious to the miners working the stream

ART. 13th. *Res*, that this code of laws shall not be hereafter modified or repealed except by a majority of the claim holders in this mining District

ART. 14th. *Res*, That no dams or reservoirs shall be constructed in this mining District to gether water for the purpose of sluiceing neither the water be detained in any aforesaid dam or reservoir later than seven o'clock a m

ART. 15th. *Res*, that this code laws shall take effect and be in full force hereafter from this time of their adoption, furthermore a copy of these laws shall be posted up in the most conspicuous place in this mining District also a copy of these laws shall be kept by the secretary of this meeting

ART. 16th. *Res*, That these laws be recorded at the County Recorders office in this county.

JAMES DISON *Cairman*

L. A. ROOD *Secretary*

Filed for record Saturday October 11th A D 1856 at 3 o'clock p. m.

JONAS W. BROWN *Recorder, of Siskiyou County*
By M C WHITE *Deputy*

Recorded October 15th A D 1856 at 3 o'clock p. m in Book of Miners Claims &c.

JONAS W BROWN *Recorder*
By M C WHITE *Deputy*

SIERRA COUNTY.—GIBSONVILLE MINING DISTRICT.

MINING LAWS.

ARTICLE I. The boundaries over which these rules and regulations shall be exercised is from the Mouth of the West Branch of Slate Creek on the South to the Mouth of 3rd Ravine with all the Ravines and Gulches putting into said Branch of Slate Creek, and the ground naturally drained thereby.

ARTICLE II. All Ravine and Creek claims shall consist of 30 feet wide and 100 feet up and down the Creek and Ravine.

ARTICLE III. All Bank and Hill claims shall consist of 100 feet running back to the Main Ridge.

ARTICLE IV. No person shall hold more than one claim by right of Pre-emption.

ARTICLE V. Any person or Company taking up a claim or claims shall put up a Stake at each of the Front Corners and shall place a notice on one of said Stakes signed by himself or one of the Company stating the Boundaries with the date of making said claim and placing a sufficient number of Stakes to define the directions of the lines running to the Ridge and said notice shall be recorded.

ARTICLE VI. Any person or Company holding Claims shall during the Months of April May. June and July work the same or renew their notice once in 20 days either himself one of the Company or an Agent appointed for that purpose.

ARTICLE VII. Any person or Company may hold his or their claim from the 1st day of August to the 1st day of April by working the same or by having said claim recorded or renewed on the Record.

ARTICLE VIII. There shall be one Recorder whose duty it shall be to record all claims and renewals of claims presented to him by the Owners thereof for which he shall receive the sum of 50 cents for each Claim Recorded and 25 cents for each Renewal of Notice on Record.

ARTICLE IX. The Recorder shall be elected by Ballot for one year. In case of Removal or Inability to perform the duties of his office the Recorder may appoint a person to fill the Vacancy subject to the approval of the Miners.

ARTICLE X. Any Company running a Cut or Tunnel through unclaimed ground to get into their claims shall hold by right of said Cut or Tunnel 25 feet each side of said Cut or Tunnel from the Centre.

ARTICLE XI. It shall be the duty of the Recorder to post up Notices for a meeting of the Miners to Elect a Recorder at least 30 days previous to the Expiration of his term of office.

ARTICLE XII. Any person at any time feeling aggrieved by any of the above Rules and Regulations and desirous to have said Rules and Regulations Altered or amended may call a meeting of the Miners by giving at least 3 days notice of such intention by placing up at least two Notices on the most public places in Gibsonville.

CHARLES. T. SHEETZ *Chairman.*
B. V. RUTHERFORD *Secretary.*

The above is a true Copy of the Laws of Gibsonville passed Jany. 8th 1857

By FRANK SCHOOMMAKER *Recorder.*

All articles passed previous to this date Jany 8th 1857 Are Null and Void.

SACRAMENTO COUNTY.—FOLSOM MINING DISTRICT.

GENERAL NOTICES.

To Quartz Miners of Sacramento County:

Notice is hereby given that a meeting of the Quartz Miners of this county will be held at Russville, opposite Folsom on Thursday January 22d 1857 at 10 o'clock p. m. to adopt such laws and regulations as may be necessary for the protection of the Quartz Mining interests.

RUSSVILLE *January 22nd* 1857.

At a meeting of the Quartz Miners of Sacramento County assembled this day in pursuance of a call advertised in a newspaper called the "*Union*" at the house of Col Russ on Prospect Hill in the town of Russville, Major John H. Gass was called to the chair and J. S. Meredith was chosen Secretary. The following laws were adopted to wit:—

QUARTZ MINING LAWS OF SACRAMENTO COUNTY.

ARTICLE 1st. The jurisdiction of the following laws shall extend over all quartz mines and quartz mining property within the county of Sacramento.

ARTICLE 2nd. Each proprietor of a quartz claim shall hereafter be entitled to two hundred feet of a quartz ledge or vein and the discoverer shall be allowed two hundred feet additional. Each claim shall include all the dips, angles and variations of the vein.

ARTICLE 3rd. On the discovery of a vein of quartz three days shall be allowed to make and stake off the claim in such manner by name of the owner and number of the claim or otherwise as shall properly and fully identify such claims. Parties having claims may cause a map or plan to be made and a copy filed with the Recorder if deemed requisite to more particularly fix the locality.

ARTICLE 4th. Work to the extent of sixty dollars in value or twenty days faithful labor shall be performed by each company holding claims within thirty days from the date recording the same as provided in Article 6th of these laws and the duly authorized representative of a company making oath that such money has been expended or that such labor has been performed shall be entitled to a certificate from a Recorder guaranteeing undisputed possession of such claims for the term of one year; and for a like sum of money or labor expended or performed within twenty days of each succeeding year duly acknowledged as herein named shall entitle the claimants or company from year to year to certificates of undisputed proprietorship and possession; and a company having a mill contracted for in good faith to the amount of five thousand dollars for the working of its claim or claims the proper representative of the company making oath of the same shall be entitled to receive from the County Recorder a title deed to said claim or claims guaranteeing to the claimants or company their successors or assigns undisputed possession and proprietorship forever under these laws provided that nothing in this article shall be at any time inconsistent with the laws of the United States.

ARTICLE 5th. Whenever the requisite amount of money or labor as provided for in Article 4th has not been expended within sixty days from the adoption of these laws the claim or claims thus neglected shall be considered abandoned and subject to be located by any other party or parties.

ARTICLE 6th. Any person a citizen of the United States or any person having taken the necessary steps to become a citizen of the United States shall be entitled to hold one quartz claim as provided for in Article 2nd and as many more as may be purchased in good faith for a valuable consideration for which certificates of proprietorship shall be issued by the Recorder.

ARTICLE 7th. The discoverer of a new ledge or vein of quartz shall be entitled to two hundred feet for his discovery and one claim additional even though he is already in possession of another claim taken up by himself and the same benefit may be claimed for each and every discovery, although many discoveries may be made by one person.

HORACE P RUSS *Recorder*

Col Russ proposed a form for certificate to be issued by the Recorder, also form of affidavit to be made by claimants which were adopted.

Horace P. Russ was elected Recorder of claims for Sacremento Co. Office to be kept in the town of Russville.

On motion of Col. Z. Hagen,

Resolved, That the proceedings of this meeting be published in the Sacramento Weekly Union for three weeks.

JOHN H. GASS *President.*

JAMES S. MEREDITH, *Secretary.*

YUBA COUNTY.—INDIANA RANCH MINING DISTRICT.

LAWS REGULATING QUARTZ MINING FOR THE DISTRICT OF THE KEYSTONE, INDIANA RANCHO & DRY CREEK.

SECT. I. A Quartz claim shall be one hundred and fifty feet on the line of the lead following the dips and angles of said lead indefinitely.

SECT. II. All persons discovering Quartz leads shall be entitled to hold one claim each by the right of discovery and one claim each by the right of location. Nothing herein contained shall be construed in such a manner as to interfere with the right to hold different claims on separate leads or such as may be acquired in good faith by purchase.

SECT. III. All persons taking up Quartz claims shall post a notice at or near the lead so taken up and shall record a copy of said notice with the Mining Recorder of the district stating the number of claims claimed by them or him.

SECT. IV. Persons prospecting Quartz leads shall not be obliged to define the exact bounds of their claims until they have had a reasonable time to discover the lines of bearing of such leads. Providing however that they shall not have the right to claim a greater distance than to the extent of such claims as they may be entitled to either on one side or the other, from the place where said lead was first struck by them.

SECT. V. In locating claims persons having priority in performing labor or posting their notices shall have priority in the right of locating.

SECT. VI. To entitle persons to hold claims they shall perform at least One Hundred Dollars worth of labor within the first three months on said claim, After which they shall be entitled to hold said claims one year by performing at least twenty days labor on the same.

SECT. VII. Persons having posted notices previous to the passage of these laws shall have the right to alter the same in conformity though dated at the time that their notice was originally posted.

SECT. VIII. Nothing herein contained shall be so construed as in any manner to interfere with Hill Diggins or Placer claims located prior to the location of Quartz claims.

SECT. IX. These laws shall be recorded in the Book of the Mining Recorder of this district and shall be open to the inspection of Miners and the Recorder shall receive the sum of One dollar to each person for recording the same.

INDIANA RANCH April 18th A. D. 1857.

Amended.

At a meeting of the miners at the school-house near the Indiana Ranch Nov. 7th 1857 The following was adopted.

Resolved, that the Quartz Mining laws of this district be amended by adopting the following section to wit.

SECT. X. All persons holding Quartz claims shall be entitled to hold fifty feet of ground on each side of their lead, the line of said fifty feet running parallel with the dips angles and variations of the lead together with all parallel and cross leads spurs and branches within said fifty feet and in case of cross leads or contested rights the same shall be decided by the right of priority in location.

Resolved, that the mining Recorder be instructed to open a new book seperate and apart from the Mining Record now in use for the purpose of recording Quartz laws and claims, and that he be instructed to copy all notices of Quartz claims from the old book.

At a meeting held this day the 13th of March 1864 at Indiana Ranch the miners have resolved unanimously the by-laws and amendments as follows:

Sect. 2 amended so as to read

SECT. 2. All persons discovering Quartz ledges shall be entitled to hold one claim for discovery and one claim each by location. Nothing herein contained shall be construed in such a manner as to interfere with the right to hold different claims on separate ledges or such as may be acquired in good faith by purchase.

Sect. III amended thus:

All persons taking up quartz Claims shall post a notice at the or near the ledge, so taken up and shall record a copy of said notice within 30 days with the mining recorder of the district stating the number of claims claimed by them or him.

Sect. IX was amended to read

The Recorders fee shall be 25 cts for each claim instead of one dollar.

Mr. Robbins acting as chairman and Mr. Th. Lombaertt sect.

INDIANA RANCH *March 13th* '64.

At a meeting of the miners of the Indiana Ranch mining District held at the Indiana Ranch on the 25th day of April 1878,

Peter Labadie was chosen Chairman and Lewis Wilder Secretary.

The chairman stated that the object of the meeting was to elect a recorder and amend such articles of the old mining laws as are necessary.

On motion of Mr French the chair appointed L. R. Stevenson, Albert Hanch and Michael Higgins as a committee of three to draft an order of business.

On motion of John McKune Mr. French was added to the committee. Moved and seconded that the meeting adjourn for ten minutes carried Meeting called to order. The committee reported an order of business as follows. * * * *

PLACER MINES BY-LAWS ADOPTED MAY 4, 1878.

ART. I. The boundaries of the Indiana Ranch Mining District shall commence at Williams' old mill on Dry Creek and running on a strait line to Mrs. Scott's Ranch thence up the turnpike to the summit of Oregon Hill, thence along the summit in the Northern direction to the head of Albert Von Hauk ravine thence down said ravine to Dry Creek thence down Dry Creek to the place of beginning.

ART. II. All Quartz claims shall be the same as the U. S. law which is 1,500 feet in length and 600 feet in width. All local laws in regard to Quartz claims are hereby repealed.

PLACERS CLAIMS

Amend ART. 2. All claims heretofore shall consist of 100 feet square on either flat creek or ravine and that a miner shall hold one claim by location and as many by purchase as he choose.

ART. II. Their shall be a recorder elected who shall hold his office for the term of one year whose fees shall not exceed 50 cts for the First named and 25 cts for each additional name.

ART. XIII. All persons who is entitled to locate mining claims shall be entitled to vote in miners meeting.

ART. XIV. All local laws shall remain in force except those that are amended

JOHN McKUNE *Chairman.*
E. C. IRWIN.
A. VON HAUK.
M. HIGGINS.

BUTTE COUNTY.—CENTREVILLE AND HELLTOWN MINING DISTRICTS.

Mining Laws of Butte county as revised by the miners at a meeting held at the store of W. N. Nesbit in Helltown October 11th 1857.

JOHN G. MAXWELL, *Chairman.*

1st. Claims shall consist of four classes 1st. River claims. 2d. Bar, Bench or Flat claims 3d. Ravine claims 4th. Hill claims.

2nd. River claims shall be all that is drained, except such parts of the ground as may be claimed previous to giving notice of intention to drain such ground.

3rd. Bar, Bench or Flat claims shall be one hundred feet, facing the river and shall extend at right angles across such Bar, Bench or Flat across the supposed channel to the final raise of the bed rock.

4th. Ravine claims shall extend one hundred and fifty feet up or down the ravine and not exceed forty feet in width, and may be located in the centre or on either side.

5th. Hill, deep or Cayote diggins, shall consist of one hundred feet front to the man, running crosswise of the hill, through it, or to unlimited extent.

6th. Claims on river bars, benches or Flats that may be worked by the water from the river or creek shall be considered as wet diggins, and ravines that are dependent on the rainy season for water shall be considered as dry diggins.

7th. Any one holding a claim or claims shall work the same when workable as often as one day in each week or have them represented by another or forfeit his right to them unless prevented by sickness.

8th. In addition to the above, any one may hold one claim in dry diggins, by recording the same, and posting up the recorder's notice on the claim, or by posting a notice and renewing it every ten days during the time it is not worked.

9th. Any one except Chinamen may hold a claim by purchase, provided he pay a genuine remuneration for the same, and purchases it of a man who has worked ten days on the same.

10th. Any one holding more claims than he is entitled to shall forfeit such claims, after giving the first claimant his choice of ground.

11th. Any one who is sick or injured, so as to be unable to work, may hold a claim by a renewal of his notice every ten days, stating the cause of absence, or by recording the same.

12th. Any person or party discovering new diggins which are five hundred yards distant from any worked ground, shall be entitled to one extra claim for such discovery.

13th. All claims in dry diggins shall be considered workable within five days after sufficient water is obtained by the rain.

14th. River claims shall be considered workable on the first day of August of every year.

LAW ON WATER.

15th. Any person may hold the right of surplus water in a ravine by posting up a notice in some conspicuous place in the ravine to be renewed every ten days or by recording the same

16th. Water that is claimed in any ravine may be used by any others, above in the same ravine but not taken out above any point at which there is an older claim.

17th. Any person or persons who are at work bringing in water ditches, or making sluices or other work preparatory for working the claim, shall be considered working their claim.

18th. There shall be a Recorder elected, whose duty it shall be to record claims in a book to be kept for that purpose, and to attend all meetings for arbitration, when required to do so, to act as clerk, to record the decisions of the same, and also to post up copies of the laws in conspicuous places and to keep copies of the same.

19th. The Recorder's fee shall be three dollars for attending any arbitration meeting, such fee to be deposited by the party requesting his attendance and one dollar for recording a claim.

The recorder shall be elected by the votes of the meeting, and shall have the power of appointing his successor, but a new Recorder may be elected at any time, by calling a meeting of the miners and giving ten days notice of the same.

21st. These laws shall not interfere with any existing claims.

22d. Any person having expended in labor to the amount of one hundred dollars any tunnel deep cut or Hill may hold his claim without labor for one year by having it recorded.

23d. No Chinaman shall be allowed to work on Butte Creek above the head of the Diamondville Ditch in the mines nor shall they be allowed to hold claims by purchase above said point.

STATE OF CALIFORNIA, COUNTY OF BUTTE: *March 23rd,* 1878.

At a miners meeting called for the purpose of revising the laws, and electing a Recorder, Thomas McNellis was called to the chair and Press Longley, the Recorder, acted as Secretary.

On motion of William McIntyre a committee of three were appointed to define the boundaries of the Helltown & Centreville Mining District, who after ten minutes conference reported the following boundaries to wit:

That the Northern boundary commence at the top of the ridge on the West side of Big Butte Creek, opposite the New York Riffle and running thence East to Kiles' Gulch, across little Butte creek at its mouth, thence to the top of the Ridge East, thence down the side to the mouth of Little Butte creek; thence down the Ridge on the East side of main Butte Creek to the Butte mills as the Southern Boundry; thence across Butte creek to the top of the Ridge Northerly to the place of beginning.

JOHN NICHOLL,
W. N. NESBIT,
C. C. MALTBY,
Committee.

THOMAS McNELLIS, *Chairman.*

PRESS LONGLEY, *Secretary.*

SISKIYOU COUNTY.—HUNGRY CREEK DIGGINGS MINING DISTRICT.

BY LAWS.

HUNGRY CREEK *Oct* 24th 1857.

At a meeting of the miners of Hungry Creek, the following Laws and Resolutions were unanimously adopted.

ARTICLE 1. *Resolved,* that these Diggins be called Hungry Creek diggins & bounded as follows from the mouth of that creek to its head and its tributaries.

ARTICLE 2. *Resolved,* that each miner be entitled to hold one hundred yards Square on the above named boundaries.

ARTICLE 3. *Resolved,* that any miner can hold one claim by pre-emption and one by purchase and the same shall hold good whether they are separate or in a body.

ARTICLE 4. *Resolved,* that each individual or Company shall put up in legible notices at each end of their claims to define the boundaries of the same with the claimant's name signed to it.

ARTICLE 5. *Resolved,* that any Company of miners can hold the quantity of ground allowed by law although the vacant ground between other companies when taken up was less than quantity allowed by law.

ARTICLE 6. *Resolved,* that all claims not represented according to law shall be recorded & the same shall hold good from the twenty-fourth of October until the fifteenth day of February eighteen hundred and fifty-eight.

ARTICLE 7. *Resolved,* that any claim not represented once in ten days after the above date shall be considered vacated and it shall be represented by one full days labor.

ARTICLE 8. *Resolved,* that no individual or Company shall be allowed to build a Dam or or other obstruction in the creek to the detriment or hinderence of any other individual or company.

ARTICLE 9. *Resolved,* that the oldest claim shall hold Gulch Water provided there was no claims taken on the gulch before the water was taken therefrom but no water claim shall hold good taken from a gulch that has mining claims located on it at the present time.

ARTICLE 10. *Resolved,* that it shall be the duty of the Recorder to keep the books of this Creek and record the claims also to let any miner inspect the books when called for, he shall have one dollar for recording each claim, it shall be his duty to deposit the books in the County Clerk's office in Yreka Should the miners have to leave the Creek through stress of weather or any other causality whatever.

HUNGRY CREEK *January* 27th 1858

At a meeting of the miners of Hungry Creek, the following laws and Resolutions were adopted.

ARTICLE 1. *Resolved,* that article third be declared null & void and the following inserted in its stead

ARTICLE 2. *Resolved,* that each miner shall represent all the claims he may have over one claim whether they are together or not and he may work them or either claim he chooses, this article to take effect from the first day of June (1858) until the first day of November following, after that date all claims shall hold good until the first of June (1859) provided they are recorded.

LEVI ANDERWOOD *President*

JAMES GOWLEY *Secretary*
BENJ. ANTRIM *Recorder*

Filed and recorded Feby 3 A D 1858

F. A. ROGERS *Recorder*

CALAVERAS COUNTY.—MURPHY'S MINING DISTRICT.

LOCAL MINING LAWS.

Miners Laws adopted by the Miners of Murphys' District, Monday Oct. 26, 1857

PREAMBLE:

Whereas, we deem it necessary for our better government & protection, to adopt a new code of laws: therefore, we, the Miners of Murphy's District in Mass convention assembled, this 26th day of October, 1857, do enact as follows:

ARTICLE 1. SECTION 1. The boundaries of Murphy's District shall be as follows: commencing at the head of Angels Creek, and running in a southerly direction to the head of *Kiota* Creek, thence in a westerly direction along the dividing ridge between Browns Ranch and Missouri Gulch; from thence along the south side of Central Hill, to the southwest corner of Hartz Ranch; from thence in a direct line across Angels Creek to the dividing Ridge between Indian Gulch & San Domingo Creek, including San Domingo Camp; from thence in an easterly direction along the ridge to the head of San Domingo Creek, & back again to the place of beginning.

SECTION 2. A mining claim in any new ground in placer diggings shall not exceed one hundred feet square; & in old or abonded diggings one hundred feet wide by one hundred and fifty feet in length.

SECTION 3. Every miner shall be entitled to take up and hold two claims, in the following manner. One dry claim, & one wet or water claim The dry claim shall be worked whenever water can be procured at the usual prices; and a wet or water claim from the 20th of May to the 20th of November, inclusive, of each & every year.

SECT. 4. All claims shall be worked immediately after the expiration of three days, from the time of taking up, or purchase of the same. And if left unworked for more than three days at any one time, shall be forfeited. This shall apply to all claims, when workable.

SECTION 5. Companies of miners having a claim each, & work one only of said claims, the balance of their claims shall hold good. But this law shall not be considered to allow a part of a company to hold the claims of a whole company during the absence of a part of its members.

SECTION 6. All claims shall be duly marked and bounded, with at least one notice placed in a conspicuous place, with the names of all its claimants thereon, and stakes at each corner of the claim; and the owners of claims whenever called on to show their boundaries, shall do so.

SECTION 7. All claims, whether obtained by *premption*, purchase or otherwise, shall be represented in person, or by proxy: and worked in conformity with laws herein prescribed.

ARTICLE II SEC. 1. No member of a company shall absent himself & work elsewhere, without giving his copartners due notice; and also provide the money or means to have his share fully represented, in accordance with the customary usages and laws of miners; and in default thereof, he shall forfeit his right, share, or interest in said company.

SEC. 2. Whenever a member of a company shall provide a substitute to work in his place, or have his interest fully represented, he shall do so, agreeably to the rules of said company.

SEC. 3. No miner shall be obliged to represent his claim in case of sickness, or attendance at court, either as witness or Juror, and any claims not represented at such times shall hold good:

SEC. 4. No person shall hold more than one wet and one dry claim by right of preemption, & if found holding more than one wet & one dry claim, by premption, he shall forfeit all. But then laws recognize the privilege, & will protect the rights of those who hold but two claims by right of premption, & hold none by right of purchase; providing, they keep men at work on them, according to the laws of the District.

ARTICLE III SEC. 1. When any miner or companies of miners shall deem it to their advantage to *cut tail* races run tunnels, or make improvements of any other kind, by passing through the claim of any company, they shall in all cases have the privelege of so doing: provided, always, that it shall not be to the injury of the claim through which they pass.

SEC. 2. When any company shall be employed in making improvements, for the better working of their claims the said claims shall hold good during the time that such improvements are in operation.

SEC. 3. Companies prospecting shall be entitled to work what number of hands they shall think proper, until they have struck pay dirt.

SEC. 4. Any person makeing discoveries of new diggins, shall be entitled to one extra claim of one hundred feet; but this shall not apply in any case to old diggins.

ARTICLE IV. SEC. 1. A claim for tunneling or shafting purposes, shall be one hundred feet on the lead, and in width, the width of the lead, be the same more or less, with all its dips, curves, and angles.

SEC. 2. All tunneling claims shall be governed by the laws regulating placer mining.

SEC. 3. A claim on a quartz leade shall not exceed one hundred and fifty feet on the lead, by two hundred feet in width, with all its dips, curves, & angles.

SEC. 4. Miners locating quartz claims shall have twelve days allowed them for the recording of the same, at the County Seat, and from the time of recording, four months for prospecting the same; after the expiration of which time, they shall be governed by the laws regulating placer mining.

SEC. 5. All laws passed heretofore that conflict with these, are hereby repealed.

A. T. DOWD, *Pres.*

G. H. BOWN, *Sec'y.*

CALAVERAS COUNTY.—LOWER CALAVERITAS MINING DISTRICT.

PLACER AND QUARTZ MINING LAWS ADOPTED AND IN FORCE IN LOWER CALAVERITAS MINING DISTRICT.

At an adjourned Meeting of Miners held for the purpose of forming a new Mining District and to make Laws to govern the same held Saturday Evening November 7th 1857 at the store of Thos. Corcoran in Lower Calaveritas camp

Mr. S F Scott chairman

The Secretary of preceeding Meeting being absent—

On motion Mr Joseph Clark was Elected as Secretary.

The report of a committee appointed at the previous meeting to define the boundaries of this District and to draft laws to Govern the same—was read—and On Motion—said report was taken up in detail and adopted as follows, viz:—

ART. 1st. This District shall be known as the Lower Calaveritas Mining District

ART. 2nd. Miners may each man hold in Gueh or Flat claims 200. by 100. feet, and define first boundary by placing a stake at each end of the claim with a Notice on each stake.

ART. 3d. River Claims. Each man may hold 150. feet by 100. feet.

ART. 4th. Tunnel Claims. Each man may hold 100. feet front. length running *through the Hill.*

ART. 5th. All claims except Tunnel Claims deserted for the space of five days, shall be considered vacant. If the same could be worked to advantage with Tom or sluice.

ART. 6th. All Tunnel claims deserted for the space of Fourteen days shall be considered forfeited. If not recorded stating the inability to work the same claim, and upon being recorded shall hold the claim good for 60 days.

ART. 7th. A miner may purchase one claim If he causes the same to be worked either by personal labor or hired help.

ART. 8th. All persons holding claims not workable shall have the same recorded and the record shall hold the claim good for six months.

ART. 9th. If there should any difficulty arise between miners about claims, each miner shall be allowed to choose a man and the two may choose a third all to be disinterested in said claims, all to be miners of this District who shall decide the matter in dispute.

ART. 10th. No miner shall lose his claim by sickness or attending public business or any Law *proceedings.*

ART. 11th. No person shall hold a claim in a fictitious name.

ART. 12th. A casting claim shall be 200. by 100. feet in a gulch and 200. feet square in a Flat.

ART. 13th. Any surface claim above the reach of Water from any Ditch supplying water to this District—shall be considered as a Casting claim. Said claim may be held during the rainy season by renewing notice every 10 days or by recording the *same.*

ART. 14th. There shall be a Recorder whoes duty it shall be to record all claims and keep a record of the same and shall receive (50) cents for recording each man's *claim.*

ART. 15th. All Laws conflicting with the above Laws are hereby repealed.

On Motion proceeded to Elect a Recorder for this Mining District.

Messrs Peter Gore & S. F. Scott were nominated.

On proceeding to elect *viva voce* it being declared a tie—a Division was called—whereupon—Mr. Scott received (14) votes and Mr. Gore (12).

Mr. Scott was declared duly Elected Recorder for this mining District

On motion ajourned *Sine Die.*

S. F. SCOTT, *Chairman.*

JOSEPH CLARK, *Secretary.*

Pursuant to notice the miners of Lower Calaveritas District assembled for the purpose of amending the Mining Laws.

Mr L. Fine in the chair, W. A. Wallace secretary.

On Motion the following amendments to art. 6 (on Page 3) was adopted:

ART. 1st. The Record shall hold Tunneling or Hill claims for twelve (12) months then by performing six days labor and recording again shall hold another twelve (12) months and so on.

On motion, Morris Murphy was appointed recorder of this mining District

We certify the above to be correct.

L. FINE *Chairman.*

W. A. WALLACE, *Secretary.*

LOWER CALAVETAS *June* 28th 1858.

Amendment to quartz mining laws passed April 4th 1863.

At a meeting of the miners of Lower Calaveritas District held in E. D. Léurnah store in Lower Calaveritas Camp April 4th 1863, for the purpose of amending the Quartz Mining Laws so as to embrace Copper and Silver claims,

On motion Mr. P. W. Vail was Elected as Chairman & W. H. Johnston Secretary.

The report of the committee of the whole on Laws regulating Quartz, Copper, Silver and other valuable minerals were read and adopted as follows—viz :—

ART. 1st. Each mans claim shall be two hundred feet on the Lode by 400 feet in width.

ART. 2nd. Each claim or companys claim shall have a Notice posted thereon specifying the size and boundaries of said claim, with the name or manes of the claimants written thereon in full, and said notice shall be posted at least once in every twelve (12) months.

ART. 3d. Any person or persons Discovering a new Lode shall be entitled to hold one Extra claim.

ART. 4th. No person shall forfeit his claim when prevented from working the same by sickness or by Legal summons.

ART. 5th. That recorded claims that the record shall prevent said claims from becoming forfeited during the space of twelve (12) months, Providid that there shall be one days work done in every Calendar month for each and every claim so recorded from the first day of May to the first day of November.

ART. 6th. That all minerals in the Earth be it the surface or in the rock—shall belong to the person or persons owning such claims.

ART. 7th. That all claims being worked and occupied shall be considered as valid claims without being recorded.

ART. 8th. Any claimant not complying with the foregoing Laws, his claim shall be forfeited.

ART. 9th. The recorder of this mining District shall keep a record of all claims within this District and shall receive (50) cents for each and every claim recorded.

All Laws conflicting with the above are hereby repealed. We certify the above to be correct.

On motion adjourned Sine die.

P. W. VAIL *Chairman*

W. H. JOHNSTON *Secretary.*

LOWER CALAVERITAS CAMP *April* 4th 1863.

AMADOR COUNTY.—VOLCANO MINING DISTRICT.

LOCAL MINING LAWS.

At a meeting of Quartz Miners in Volcano. Amador Co. Cala Saturday February, 6th 1858 for the purpose of defining the boundaries of the camp and making such regulations and Laws as seemed most necessary for quartz miners at present. J. K. Hatton was called to the chair and F. M. Whitmore appointed secretary.

Under a resolution the Chair appointed Dr. G. F. Smith—I. Tullock and F. Richlin, Committee to draft a code of laws as a guide for quartz mines in the district

The committee in due time submitted the following as the Quartz Mining Laws of Volcano.

ARTICLE I. This shall be known as the Volcano Quartz Mining District bounded as follows Commencing at the south western corner of the Aurora District near Prospect Hill, thence north east along the line of said District to the Ashland District thence west to Hartran's Ranch and on to Dry Creek; thence to Upper Rancherea, thence to Sutter Creek; at its junction with Grass Valley Creek thence along the northern boundary of the Grass Valley District to beginning.

ARTICLE II Each claim shall consist of three hundred feet running along the main lode and fifty feet on each side of the same with all its dips, spurs, angles and variations

ARTICLE III Any person discovering a load not before discovered and taken up shall be entitled to hold one claim for discovering in addition to the one by location.

ARTICLE IV One claim only can be held by location except under the provisions of the 3d Article of these laws but as many by purchase as will be worked according to the following laws.

ARTICLE V Within thirty days after the location of a claim there shall be a shaft sunk to the depth of ten (10) feet, or work to that amount shall be done in a cut or tunnel on the claim and every succeeding three months work to the amount of twenty five dollars shall be done for each individual claim. After one hundred dollars worth of work has been done on each claim, it shall not be forfeited for two years from the date of location.

ARTICLE VI There shall be a Recorder elected annually whose duty it shall be to keep a faithful record to be signed by the *bona fide* owner as his legally authorized agent.

ARTICLE VII Every claim shall be recorded within one month after its location the fees of the Recorder to be one dollar ($1 00) for each company.

ARTICLE VIII Vacancy occurring in the office of Recorder an election can be held by giving ten days notice the notice to be signed by ten quartz miners of this district posted in three public places.

ARTICLE IX Any of the above laws may be repealed or amended at a subsequent meeting by a two-thirds vote.

ARTICLE X For claims already taken up the same can be lengthened and increased in size to conform to these laws when such situation does not conflict with the previous rights of any other person the notice and record shall be changed to comply.

ARTICLE XI All claims already taken up to be worked according to these laws. The above laws being read and unanimously adopted J. K. Hatton was elected Recorder by acclamation.

SIERRA COUNTY.—SIERRA COUNTY MINING DISTRICT.

QUARTZ MINING LAWS OF SIERRA COUNTY.

ART. 1th. A claim, on any Quartz Ledge, in this County may have a lenth of 200 feet along the same and a width of two hundred feet at right angles with the Ledge on each side of the same to include all Quartz to be found within the above mentioned limits.

ART. 2nd. Any person discovering a Gold bearing Ledge not previously located shall be entitled to two claims being one for discovery.

ART. 3rd. No person but a Discoverer shall be entitled to hold more than one claim by location in a Company.

ART. 4th. No one but an American Citizen or a Foreigner who has and exhibits his Foreign Mining Tax Receipt shall be allowed to hold a claim by Location on any Quartz Ledge in this County.

ART. 5th. It shall be necessary for Claimants to post on some conspicuous place on the claims located setting forth the number of feet claimed and from what point upon which the real names of the Locators shall appear in full—Said notice shall hold good for ten days at the expiration of which time a copy of said notice shall be placed upon the Records of this County, the notice and Record as above shall hold said claims without further improvements from & after the first day of November untill the first day of May following if Recorded after the first day of November. But upon all claims located between the first day of May and the first day of November following Labor to the amount of Eight dollars per claim shall be expended toward the prospecting or developing the same in each Thirty days after such location.

ART. 6th. To hold Quartz Claims for the first 12 months after location it shall be required of each claimant to expend at least one hundred dollars upon each claim of 200 feet in such improvements as may be required in the development of the same.

ART. 7th. Quartz claims which have been duly located in accordance with the foregoing Rules and Regulations persons are entitled to hold without limit as to number by afterwards conforming to the requirements set forth in these By-laws.

ART. 8th All Quartz claims in this County heretofore located upon which no permanent improvements have been made will be declared forfeited within thirty days after the Publication of these By-laws unless the notice of location is renewed and recorded if not already upon the Records of the County and labor expended upon the same in accordance with the foregoing regulations for holding Quartz claims.

DOWNIEVILLE *June 6th* 1859

WM ILLINGSWORTH *Chairman.*

ALFRED HELM *Secretary.*

YUBA COUNTY.—BROWNSVILLE MINING DISTRICT.

At a meeting held at Page's old mill April 7th A. D. 1860, when Saml. A. Jewett was chosen President and J. E. Brown Secretary, when the following resolutions were adopted.

Whereas the miners of Dry creek and vacinity have heretofore been without any established rules or regulations to protect their interests and believing that some established rules defining the rights of each miner are essentially necessary to preserve order and peace in the community and believing also that it is the duty as well as the right of the miners of every mining section to hold their meetings, organize their district and to pass such laws as they may deem best to govern their own local interest: Therefore we the miners of Dry Creek in mass meeting assembled do resolve as follows

1st. That this District shall be bounded as follows—Commencing at a point where the New York Flat Creek emties into Dry Creek and running up the opposite ravine, through Geatty's Flat to its head; thence by the Union House in a direct line to the nearest point of New York Township line; thence following said line south and west to where it strikes the Honcut Creek. Then up said creek to its source, down the opposite ravine to New York Flat and down said flat to Dry creek to the place of beginning.

2nd. That the section of country embraced within the lines as described in the foregoing resolution shall be called the "Brownsville Mining District."

3d. That no mining claim in this district shall exceede the following surface limits

(1) Hill claims shall be limited to one hundred feet (100) in front each, but may extend back to the centre or summit of the hill.

(2) A creek claim shall be one hundred feet (100) up and down the creek and in width to foot of the hills on each side.

(3) A ravine claim shall be two hundred (200) feet up and down the ravine and one hundred feet wide or from hill to hill.

(4) A quartz claim shall be one hundred feet (100) long running with the ledge and embracing in width all the dips, spurs, angles and false or side ledges connecting with the main ledge.

4th. That any person discovering diggins shall be entitled to one claim extra for discovery, but no one shall be entitled to hold more than one claim of a kind by pre-emption on the same ledge, but the right of purchase is fully recognized.

5th. That this meeting elect a Recorder for the district, whose duty it shall be to record all claims presented to him for that purpose, and to keep such record together with a copy of the miners laws of this district at his office, free for inspection or examination. He shall also post at least one copy of the laws at the most public place in the district, and he shall issue and post notices of all the miners public meetings to be held in the district during his term of office—which shall be for twelve months from the day of his election.

6th. That the Recorder shall be entitled to a fee of fifty cents for recording a single claim and for recording company claims of two or more in notice Seventy-five cents.

7th. That a claim when recorded shall hold good for the term of twelve months from the date of record, but any claim not recorded shall be forfeited if not worked within ten days after there is sufficient water for that purpose.

J. E. Brown was elected Recorder for twelve months and the meeting adjourned.

SAMUEL A. JEWITT *Pres*

J. E. BROWN *Secty*

A an annual meeting of the miners of Brownsville Mining District held March 30th 1861 Wm. G. Rice was chosen President, J. E. Brown Secretary, when the old laws of 1860 were re-adopted excepting the 7th Resolution which was revised.

J. E. Brown Chosen Recorder for twelve months and the meeting adjourned.

WM. G. RICE *Pres*

J. E. BROWN *Secty.*

AMENDMENTS.

7th. That a claim recorded shall hold good for the term of six months from the date of record, but any pre-empted claim not recorded shall be forfeited if not worked within ten days after there is sufficient water for that purpose.

At an annual miners meeting held at Pages old mill April 7th 1862 Wm. G. Rice chosen pres. and J. E. Brown sect'y. When art 1st in 3rd Resolution was changed—That a Hill claim should be two hundred (200) instead of 100 ft as heretofore.

J. E. Brown was chosen Recorder for the next twelve months or until another is elected. Meeting adjourned.

WILLIAM G. RICE *Pres*

J. E. BROWN *Secretary.*

MONO COUNTY.—BODIE MINING DISTRICT.

MINING LAWS.

At a meeting of the Miners of the Bodie Diggings, the following Laws were adopted:

ARTICLE 1st. This District shall be known and designated as the Bodie Mining District, and shall extend in each direction from the Bodie Claim, north, south, east and west, five miles.

ART. 2d. Ravine and Gulch Claims shall be four hundred feet in length, and extending fifty feet each side of gulch or ravine from center. Flat Claims shall be two hundred and fifty feet square. Hill Claims shall be two hundred feet front and extending back to the summit or center of the hill.

ART. 3d. No person shall be allowed to hold more than one Gulch, one Hill, and one Flat Claim in this District by location; but can hold as many as he purchases in good faith.

ART. 4th. Ravine and Hill Claims shall be designated by a stake and notice at each of said claims. Flat Claims shall be designated by stake and notice at each corner.

ART. 5th. All claims shall be recorded within ten days after location, or be forfeited, unless parties making such locations are at work upon their claims.

ART. 6th. All persons holding claims in this District shall do one day's work every week on said claim, when there is sufficient water to work with a long tom or rocker.

ART. 7th. All persons locating Quartz Claims in this District shall be allowed two hundred and fifty feet of a quartz lead, together with all its dips, spurs, angles and variations, and together with fifty feet on each side of said quartz lode for right of work.

ART. 8th. All Quartz Claims shall be recorded within ten days after location or be forfeited.

ART. 9th. All Quartz Claims shall be designated by a stake and notice giving the name of the lead and company, also the number of feet located and names of parties making such location.

ART. 10th. All Quartz Claims shall be worked to amount of fifty dollars to each share within three months after location, which amount of work shall hold the claim good for the term of one year from the date of location.

ART. 11th. Any person or persons discovering a quartz ledge shall be entitled to one extra claim for discovery.

ART. 12th. All claims in this District shall be laid over and not be forfeited until from the first day of Oct., 1860, until the first day of May, 1861.

ART. 13th. There shall be a Recorder elected who shall hold his office for the term of one year and shall be entitled to fifty cents for each claim recorded.

ART. 14th. The Recorder shall keep in his possession a well bound book with all the laws of this District written therein, which shall be at all times subject to the inspection of the public in his presence.

On motion Jeremiah Tucker was elected Recorder for the term of one year commencing at this date, July 10th, 1860.

E. GREEN, *Chairman.*

A. D. ALLEN, *Secretary.*

At a meeting of Miners held Aug. 10th, A. D. 1861, at the Taylor Cabin in Bodie Quartz Mining District. On motion of Robt. Nevias, Mr. W. W. Vaughn was called to the chair and Wm. Feast appointed Secretary.

On motion of J. Tucker it was ordered that a committee of three be appointed to examine the old laws and report amendments thereto to this meeting. Col. Crawley, J. Tucker and J. E. Patton were appointed as the committee.

On motion of T. H. Bust the old laws were read by the Secretary. The Committee on By-Laws reported as follows:

That the Laws of this District be amended as follows:

ARTICLE 1st. Each claim on a quartz lode shall be worked to the amount of ($50) fifty dollars within three months after date of location; said work may be performed either upon his own claim or that of any other person or persons on the same lode.

ART. 2d. Claims located during the year of 1860 upon which the necessary amount of labor has been done that is required by the laws of 1860, shall, in order to secure them from re-location for one year, have an additional amount of labor to the amount of twenty-five dollars put thereon within three months after this date. Provided that those claims upon which the said amount of work has already been [done] shall be exempt from the action of this article.

ART. 3d. Work on claims may be suspended from Nov. 1st, 1861, until June 1st, 1862.

ART. 4th. The Recorder shall be entitled to receive one dollar for each claim recorded, instead of fifty cents as heretofore.

ART. 5th. That the Recorder shall be required to visit all new discoveries and note the same.

ART. 6th. All laws or parts of laws heretofore enacted conflicting herewith are hereby repealed.

On motion it was resolved to proceed to ballot for a Recorder for the ensuing year, and on motion Messrs. Tucker and Mead were put in nomination. Result of ballot:

Tucker..... 8 votes.
Mead..... 8 votes.

Whereupon it was moved and seconded that we proceed to another ballot, which resulted in the election of J. Tucker.

W. W. VAUGHN, *President.*

WM. FEAST, *Secretary.*

At a meeting of the Quartz miners of Bodie District, held at Burnett's Cabin, June 7, A. D. 1862, in Bodie District, County of Mono, State of California, the following resolutions were adopted:

ARTICLE 1st. *Resolved*, that work may be suspended on quartz claims from the above date until the 25th day of August, 1862.

ART. 2d. On motion, it was ordered that it be inserted by the Secretary that it is *Resolved*, that what portion of three months is left on the first of November, 1861, from the date of location or re-location of any quartz claim, shall be suspended until the 15th day of August, 1862, or during any time while [work] is suspended on quartz claims.

ART. 3d. On motion, it was also *Resolved*, by acclamation, that Samuel S. Tucker should have full control and charge of the Record Books, and shall be authorized to do what recording is required to be done by the miners of this District until his father's term expires.

O. G. LEACH, *President.*

S. S. TUCKER, *Secretary.*

Agreeable to a call of the miners of Bodie District, a meeting was held on the 9th inst., at Leach and Monroe's cabin, for the purpose of electing a District Recorder for the ensuing year and revising the laws of said District.

The meeting was called to order at 1 o'clock p. m., by J. E. Smith. S. H. Chase was appointed to the Chair, and S. S. Tucker, Secretary.

On motion, the polls were opened for the election of Recorder. O. G. Leach and S. S. Tucker were put in nomination. Whole number of votes cast, 33; necessary for a choice, 16. O. G. Leach received 20, and was declared duly elected Recorder of Bodie Mining District for the ensuing year.

S. H. Chase, having business elsewhere, resigned the Chair; whereupon, O. G. Leach was appointed in his place.

On motion of J. E. Smith, a committee of three was appointed by the Chair to examine the laws of the District and report such amendments as they might deem necessary for the interests of the miners of said District. J. E. Smith, B. J. Haslett and Jesse Spray were appointed as that committee.

The following amendments were proposed and adopted:

Art. 7th amended so that it should read two hundred feet instead of two hundred and fifty feet, which reads as follows:

ART. 7th. All persons locating Quartz claims in this District hereafter shall be allowed two hundred feet each of a quartz lode, together with all its dips, spurs, angles and variations, and together with fifty feet on each side of said quartz lode for the right of work.

Art. 10th amended so as to read as follows:

ART. 10th. All quartz claims of two hundred feet and proportions thereof shall be worked to the amount of twenty-five dollars, or five days' work, within three months from the time of location, which amount of work shall hold the claim, good for the term of one year from the date of location.

BODIE, Aug. 9th, 1862.

S. S. TUCKER, *Secretary.*

BODIE MINING DISTRICT, *Nov.* 12, 1862.

At a meeting of the miners of Bodie District, held on this the 12th day of November, 1862 (in compliance to a call of the miners), Judge L. O. Stevens was called to the Chair, and O. G. Leach appointed Secretary.

On motion of Mr. Hubbard, the following laws were read and adopted unanimously:

ART. 15th. All quartz claims of two hundred feet and proportions thereof, that shall have fifty dollars' worth of work or useful labor expended upon them, shall give the owner or owners a perpetual title.

ART. 16th. The district Recorder is hereby authorized and empowered to issue certificates to any person or persons, upon application being made and satisfactory evidence shown to him that the required amount of work or labor has been performed on any claim or claims, as stated in art. 15th; and said Recorder shall keep a record of the same, and shall receive a fee of one dollar for each certificate issued.

ART. 17th. Any person or persons who may locate a site for a tunnel in this District shall run said tunnel forty feet within one year from date of location, or it shall be forfeited.

ART. 18th. Any person or persons who may locate and run a tunnel in this District for the purpose of prospecting any quartz lode or leads, having a notice of the same recorded in the Recorder's office of this District, and also in the County Clerk's office, stating for what lode or lodes the tunnel is intended to prospect, are not required to do any work directly upon said lode or leads, but shall put the work in said tunnel as stated in art. 17.

ART. 19th. The District Recorder is hereby authorized to issue certificates of ownership to all persons having claims recorded in this district (who may desire them), and shall receive a fee of fifty cents for each certificate issued.

ART. 20th. All laws or parts of laws heretofore enacted, which in any way conflict with the above, are hereby repealed.

ART. 21st. Work may be suspended upon all quartz claims now located, or which may be hereafter located, from this date (Nov. 12th, 1862) until the first day of July, 1863.

On motion, the meeting adjourned.

L. O. STEVENS, *Chairman.*

O. G. LEACH, *Secretary.*

MINERS' MEETING.

BODIE DISTRICT, *March* 4th, 1864.

At a meeting of the miners held this day at the house of J. Elnathan Smith, jr., the following laws were enacted and repealed:

On motion, Mr. J. S. Mooney was elected to the chair and J. W. Biderman, Secretary.

On motion of Mr. Childs the office of Recorder of this District was declared vacant; by motion of H. W. Walker, John Harlow was put in nomination and, there being no other nomination, was duly elected.

On motion of H. W. Walker the chair appointed a committee of two—J. W. Biderman and H. W. Walker—to examine the By-Laws and report.

On motion of Mr. Childs Articles twenty-second, twenty-third and twenty-fourth were ordered to be read and added to the By-Laws as per Report of Committee.

On motion of H. W. Walker the Articles twenty-second, twenty-third and twenty-fourth were ordered to be placed on Record of the Books of the District.

ART. 22d. All persons holding Placer claims in this District shall do three days' work in every week on each and every claim after the first day of May, 1864.

ART. 23d. All labors performed on ditch, reservoir or flume, for the purpose of bringing in water from Cottonwood Creek for Placer mines, shall be considered as labor actually done on said Placer claims.

ART. 24th. All Articles or parts of Articles conflicting with said Articles twenty-second and twenty-third are this day hereby repealed.

On motion, there being no further business before this meeting, it was ordered adjourned.

JAMES S. MOONEY, *Chairman.*

J. W. BIDERMAN, *Secretary.*

MINERS' MEETING.

BODIE MINING DISTRICT, *Oct.* 24th, 1864.

At a meeting of the miners and claim owners of Bodie district, held persuant to legal notice, at the house of Messrs. Biderman & Pooler this day, the following proceedings were held:

On motion of John W. Biderman, F. K. Bechtel was called to the chair and O. G. Leach chosen Secretary. Whereupon the object of the meeting being stated by the Chairman, the following Resolutions were unanimously adopted:

Resolved, that all quartz claims that now are, or may hereafter become a matter of record upon which the required amount of labor has not, or may not be done shall not be subject to re-location before the fifteenth day of June, 1865.

Resolved, that these proceedings be spread upon the Record Book of this District.

F. K. BECHTEL, *Chairman.*

O. G. LEACH, *Secretary.*

Witnesses present:

J. W. Bidderman, Wm. Pooler, Edwin Donahugh, J. D. Spray, Alexander Paxton and John Harlow.

Recorded October 24th, 1864, by John Harlow, Recorder Bodie District, California.

MINERS' MEETING.

Agreeable to the following call the Miners of Bodie Mining District met at Wand & Barker's Saloon at 12 o'clock and thirty minutes, Oct. 5th, 1865. J. L. Howard was called to the Chair and O. G. Leach elected Secretary.

On motion of J. L. Mayhugh, a committee of three was appointed by the chair to revise the laws of the District and report such changes as would best suit the interests of the Miners. F. K. Bechtel, J. S. Mooney and J. L. Mayhugh were appointed as that committee.

On motion of F. K. Bechtel the meeting took a recess of ten minutes to give the committee time to report. At the expiration of ten minutes the Chair called the meeting to order, when the committee made the following report, which was accepted and committee discharged.

(Report of committee can be seen on following page.)

Resolutions of committee's report were then read in the regular order. After some discussion the first resolution was adopted by a vote of five to four. Second, third, fourth, fifth, sixth and seventh resolutions were read and adopted unanimously.

On motion of J. L. Mayhugh it was resolved that the proceedings of the meeting be spread upon the Record Books of the District, and a copy of the same be forwarded to the *Esmeralda Union* for publication.

On motion of J. S. Mooney, the meeting adjourned.

O. G. LEACH,
Secr'y Miners' Meeting.

OCTOBER 5th, 1865.

[Following is a portion of the preamble and the resolutions referred to in the minutes of the meeting of Oct. 5th, 1865. They were written on letter paper and wafered in the book, instead of being written on the leaves of the book, and one page or leaf is missing, hence the abrupt beginning of the committee's report as it now appears in the book.]

Situated between High Peak on the west, Bunker Hill Mining Claims on the east and bounded on the north by Lady Alice Company's ground, and on the south and southwest by the Ho estake and Stonewall Consolidation, whereupon be it

Resolved, 1st. That said Crescent location with its present boundaries be and they are hereby declared to be in accordance with the laws of this District and is valid and effectual.

Resolved, 2d. That any person or company of persons owning Placer Claims in this District shall be required to perform five days labor for each claim upon any portion of his or their claims and when so performed such claim or claims shall not be subject to re-location for the space of one year from date of location.

Resolved, 3d. That all claims located from and after the passage of these resolutions upon any quartz ledge or lode within this District may be made either by claiming two hundred (200) feet of running or lineal measure upon a ledge, including all dips, angles and spurs; or by locating two hundred feet square upon the surface of the ground with the right to hold all dips, angles and spurs that may be found within the said two hundred feet square, excepting such claims or lodes as may now be claimed and the title thereto has been made good or shall be made good as hereinafter provided.

Resolved, 4th. That all claims hereafter located shall be recorded within five days from and after being located, and when so recorded and five days available labor shall have [been] performed for each claim of two hundred (200) feet square or lineal measure as the case may be, the same shall not be subject to re-location for the space of one year from date of location.

Resolved, 5th. That all laws or parts of laws, resolutions or orders passed heretofore that are repugnent to or inconsistent with these preambles and resolutions are hereby repealed.

Resolved, 6th. That these preambles and resolutions shall take effect and be in full force from and after their adoption by this meeting.

Resolved, 7th. That these proceedings be spread upon the District records, and a copy thereof be published in the *Esmeralda Union.*

J. L. HOWARD, *President of meeting.*

O. G. LEACH, *Secretary of meeting.*

MINERS' MEETING.

BODIE DISTRICT, *March* 3d, 1866.

On motion, M. R. Elstner was called to the chair, and F. K. Bechtel was chosen Secretary. The object of the meeting being stated, Messrs. Mooney, Walker and Bechtel were then on motion chosen a committee to draft resolutions amendatory of our mining laws, who, after due time, presented the following preamble and resolutions, [which] were unanimously adopted:

Pursuant to notice, the miners and claim-owners of Bodie Mining District met at the house of E. D. Barker, in the town of Bodie, this the third day of March, A. D. 1866, for the purpose of amending the mining laws of said District; also, for the purpose of electing a Recorder to serve for one year from date hereof; when, on motion, M. R. Elstner was called to the chair, and F. K. Bechtel chosen Secretary. After which, the following preamble and resolutions were introduced, read and adopted:

Whereas, At a miners' meeting held at this place, on the fifth day of October, 1865, certain amendments to the mining laws of this District were enacted, one article of which is deemed detrimental to the prosperity of the District, being calculated to retard the development of our mines; and

Whereas, The article referred to is ambiguous in its character and liable to misconstruction; wherefore, be it

Resolved, 1st. That Article 4th of the resolutions passed at a miners' meeting held at this place, on the fifth day of October, 1865, be and the same is hereby repealed.

Resolved, 2d. That all locations for quartz claims made hereafter shall be by lineal measurement, and that all such locations be allowed fifty feet on each side of the ledge for working purposes.

Resolved, 3d. That five days' available work shall be done for each claim of two hundred feet, such work to be performed within ninety days from date of location.

Resolved, 4th. That all locations made under Art. 4th, passed at the meeting of Oct. 5th, 1865, upon which no available labor has been performed, be and the same [is] declared void, and subject to re-location under the provisions of the second resolution herein contained.

Resolved, 5th. That all locations of quartz ledges shall be recorded within five days from date of location.

Passed unanimously.
Meeting adjourned.

M. R. ELSTNER, *President.*

F. K. BECHTEL, *Secretary.*

MINERS' MEETING.

In pursuance of notice, a miners' meeting was held at the house of Robt. Kernahan, on the fourth day of March, 1867, and James S. Mooney was called to the chair, and Robt. Kernahan was chosen Secretary.

On motion, they then proceeded to elect a Recorder.

T. J. Murphy and Roger Horner were appointed tellers of said meeting.

James S. Mooney then received the majority of all the votes cast, and was duly elected Recorder for the ensuing year.

On motion, a committee of three, viz: T. J. Murphy, Henry Walker and Robert Kernahan were appointed to examine the laws of the District.

On motion, a recess of one hour was [hereby] given said committee to examine said laws.

JAMES S. MOONEY, *Chairman.*

ROBERT KERNAHAN, *Secretary.*

Report of committee.

Resolved, 1st. That all locations made hereafter on quartz ledges shall be by lineal measurement, and fifty feet on each side of the ledge for working purposes.

Resolved, 2d. That five days' available work shall be done for each claim of two hundred feet, such work to be performed within ninety days from date of location.

Resolved, 3d. That sixty days' work, exclusive of the aforesaid five, shall have to be performed each and every year from date of location, otherwise said claim shall be subject to re-location.

Resolved, 4th. That any law or laws heretofore enacted, coming in conflict with the laws of this date, are hereby declared null and void.

BODIE, *March 4th*, 1867.

T. J. MURPHY,
H. W. WALKER,
ROBERT KERNAHAN,
Committee.

MINERS' MEETING.

At a miners' meeting, held at the house of F. Swenson, in Bodie, on Wednesday, the 13th day of November, A. D. 1867, pursuant to a call by the Recorder, posted in three public places in said District, for ten days previous thereto, J. S. Mooney was duly elected President, and E. B. Dickenson, Secretary.

The following resolutions were unanimously adopted:

Resolved, 1st. That the annual meeting for the election of Recorder for this District be hereafter held on the first Saturday in July and that James S. Mooney, the present Recorder, hold said office until his successor is elected and qualified.

Resolved, 2d. That Articles 15 and 16, passed at a miners' meeting held Nov. 12th, 1862, be and the same are hereby repealed.

Resolved, 3d. That Article 3d of the resolutions passed at a miners' meeting held at this place, on the 4th day of March, A. D. 1867, be and the same is hereby repealed.

Resolved, 4th. That all companies be required from and after this date, to perform available labor to the amount of one hundred dollars upon their claim or claims each and every year. That in case said labor is not performed, then said claim or claims are subject to re-location.

Resolved, 5th. That all resolutions heretofore passed, coming in conflict with the foregoing, are hereby repealed.

Thereupon the meeting adjourned *sine die.*

BODIE, *November 13th*, 1867.

J. S. MOONEY, *President.*

E. B. DICKENSON, *Secretary.*

MINERS' MEETING.

BODIE MINING DISTRICT, *December* 30th, 1876.

Pursuant to notice posted in three public places the Miners of Bodie Mining District met in the saloon of J. C. Smith at 7 p. m., Dec. 30th, 1876.

Meeting was called to order by F. K. Bechtel, Recorder, and on motion of P. J. Kelly, Wm. Irwin, sr., was chosen Chairman and Silas B. Smith Secretary.

A motion was made and carried fixing the fee for recording a Mining Claim at five dollars. When no further business appearing the meeting adjourned *sine die.*

WM. IRWIN, SR., *Chairman.*

SILAS B. SMITH, *Secretary.*

Attest: F. K. BECHTEL, *Recorder.*

A meeting was held Dec. 29, 1879, for election of officers.

CALAVERAS COUNTY.—SAN ANDREAS MINING DISTRICT.

MINERS' MEETING—AMENDMENT OF MINING LAWS.

The miners of San Andres have amended their mining laws as follows:

On motion, Article 16 was amended so as to read: Any person or company holding shaft or tunnel claims, that have been worked for one season or more, by shafts or shafts sunk to the ledge, and drifted out pay dirt, and have seepage water upon the lead or channel which must be taken out in order to work the claim, and which claims are not considered practicable of operations in consequence of suspended operations upon contiguous claims, may be held over by renewal of record from the 1st to 3d of July and September; *provided*, that no such claim shall be held over in such a manner for more than one working season, consecutively.

BUTTE COUNTY.—CHEROKEE FLAT MINING DISTRICT.

LAWS OF 1861 & AMENDMENTS.

At a meeting of the miners at Cherokee Flat on the 19th of November 1861, the following Rules and Regulations were adopted for the government of the mining District.

1st. This mining District shall be called the Cherokee Flat District and bounded as follows, to wit, commencing at the mouth of the West Branch of Feather River to Indian Flat, thence westerly along the ridge which divides the waters of Oregon Gulch and those flowing North into Feather River to the head of Saw Mill Ravine, thence down said ravine to the mouth of the Hydraulic Flume Co's tunnel, thence North to the West Branch of Feather River, thence down said river to the place of beginning.

2d. The size of mining claims in this District shall not exceed one hundred feet square each.

3rd. No miner shall be entitled to hold more than one claim by location or pre-emption at the same time.

4th. All claims shall be designated by dial stake or stone being set at each corner, except when several claims are held by the same individual or company in a body, then a stake or stone at the out side corners shall be sufficient.

5th. All claims shall be recorded by the Recorder of this Mining District on the first day of June and December of each year, providing that after the first Record a renewal of the same shall be sufficient, and all claims not so recorded or renewed within ten days after the said first days of June and December of each year, the same shall be considered abandoned.

6th. There shall be a Recorder elected by the miners of this District who shall hold his office until removed by the miners of the District.

7th. It shall be the duty of the Recorder to keep a book in which he shall

(1) Transcribe a correct copy of these rules and regulations.

(2) Correctly record all claims presented for record and renew the same when requested; for which he shall receive the following compensation, for all notices, containing not more than five claims one dollar and for each additional claim twenty cents—each, a renewal being the same as a record.

8th. Nothing herein contained shall be so construed as to impair any rights heretofore acquired, and all Rules & Regulations heretofore adopted shall stand repealed on the taking effect of these.

9th. These rule and regulations shall take effect and be in force on the first day of December 1861.

We certify that the above rules and regulations are those adopted at an adjourned meeting of the miners of Cherokee District, held on the evening of the 19th of November A. D. 1861, at Weavers Saloon.

B. P. HUTCHINSON, *Chairman.*

JAMES A. EBY *Secretary.*

CHEROKEE FLAT *Nov.* 19th 1861.

SAMUEL GLASS, *Recorder.*

Amendments.

CHAMBERS HALL *Cherokee Flat Sept* 23rd 1871.

Mr. R. C. Pulliam offered the following Resolutions which were adopted unanimously:

(1) *Resolved*, That the Fourth and Fifth rules of Mining Rules and Regulations of Cherokee Flat District are hereby repealed.

(2) *Resolved*, That the following rule be adopted as the Fifth Rule: All claims shall be recorded by the Recorder of this District from the first to the tenth days of June, each inclusive of each year, providing that after the first record a renewal of the same shall be sufficient and all claims not so recorded or renewed within said time of each year, the same shall be considered vacant and subject to be located or pre-empted by any person or persons.

B. P. HUTCHINSON, *President.*

JOHN SLISSMAN, *Secretary.*

EL DORADO COUNTY.—SPANISH CAMP—AGRA MINING DISTRICT FORMERLY.

LOCAL MINING LAWS.

Adopted about Ap'l. 1862.

We the Quartz Miners of the above mention District to meet to enact laws relative to the Quartz mines of said district— Mr. Isaac N. Hitchcock Chairman— John Kearns secretary.

Resl. That this law includes all the Quartz of said District.

2 *Resolved*, that each miner claim 200 feet for his claim and a miner making Discovery of said ledge has the privelege of claiming 200 feet for said discovery or otherwise shard his 200 feet with those prospecting said claim.

3 *Resolved* that no miner can claim but one claim on said Ledge with exception of miner or company of miners that makes the first discovery as is mentioned above.

4 *Resolved.* that there is to be expended on each claim to the amount of $100 in each year of 365 days unless in case of sickness and said miner must notify the Recorder of said District that he is unable to work his claim.

Resol that each miner has 30 days from the time of placing his notice on his claim before Recording said claim if not he forfeit his claim.

Resol that Mr. W. E. Reibson be Recorder of said Quartz claims in the Spanish Camp District

The above resolutions all unanimously adopted by this meeting held at Spanish Camp on the above mentioned day and date.

1st Location April 23rd 1862.

Changed to "Agra District" June 14th 1866.

YUBA COUNTY.—EMPIRE MINING DISTRICT.

UNION RANCH, *January* 22, 1863.

A Miners Meeting was called to order and George Moore esq was elected President, M Hatch as Secretary and R. J. Muray as Recorder.

ARTICLE 1st. It was Resolved that the District be known as the Empire Copper Mining District Commencing at Hutchings Ranch thence to Bear River one mile below the Flouring Mill thence to the North West corner of the Zinc House Copper Mining District Thence along the line to the North east corner to a Point Two Miles above Landers Bar thence down the Yuba River to the Place or Point of beginning.

ARTICLE 2nd. There shall be a Recorder Elected who shall hold the office for the term of Twelve Months who shall be qualified before entering upon the duties of his office who shall take an oath to faithfully perform the duties of the Recorder then of which he shall record all claims brought to him in this order of presentation keep the Records in a suitable Book or Books for that purpose who shall Receive for each claim Recorded Twenty-Five cents and shall give to every person or persons a certificate naming in the certificate the Page in the Records of which it is recorded

ARTICLE 3d. All examinations of the Records must be made in the presence of the Recorder or his deputy

ARTICLE 4th. Notice of a claim or Location of Mining ground by any individual or by a Company on file in the Recorders office shall be deemed equivalent to a record of the same

ARTICLE 5th. Each claimant shall be entitled to hold by Location (200) two Hundred feet on any lode in the district with all its dips angles spurs offshoots out crops depths widths variations and all Minerals and other valuables contained Therein The discoveror of any or locator on, a new Lead being entitled to one claim Extra for discovery

ARTICLE 6th. The Locator of any load or Ledge in this district shall be entitled, to, hold on each side of the Ledge load or Lead Located by him or them two Hundred and fifty feet any lateral veins Loads or Ledges Bearing Minerals therein the space of said two Hundred and fifty feet on each side of the main lead shall be considered as claimed by and entirely belonging to the Locator or Locators of a Ledge and his or their assigns and parcel of the same mine

ARTICLE 7th. It shall be the Privilidge of any Person or Persons or company when the vein ledge or lode of Mineral is not distinctly traceable on the surface to take up the ground they deem to—Prospect Stating on their notice the manner they intend to prospect the same

ARTICLE 8th. Every claim whether by individual or company shall be recorded within ten days after the date of Location

ARTICLE 9th. It shall be required of each company holding ground in this district to put fifty dollars worth of work on said ground in three months from the date of Recording

ARTICLE 10th. That when any company shall have done honest work to the amount of one Hundred dollars upon their claims and shall cause an entry—To be made upon the Records of this district said company shall be considered as Having acquired a vested right in said Ledge which shall have all the force an effect in Law an Equity as other real estate and property The Recorder shall have fifty cents for such entries

ARTICLE 11th. The Recorder shall go upon the ground with any one or Parties desiring to locate claims and shall be entitled to receive for such service say for a company Locating ten or more names five dollars for each Location numbering less than ten names fifty cents each. Amendment to said article 11th requiring the Recorder when requested to go with parties Locating ground for which he shall receive (50 cts) a mile from his office to the Ledge

ARTICLE 12th. It shall be the duty of all Recorders elected after the time of the adoption of the Laws to post or cause to be posted a notice of an Election of his Successor in three Public places within two months of the expiration of his term of office The Election to be held within two weeks of the Expiration of his term of office Amendment to said article That whenever any ten miners owning claims shall request the Election of another Recorder said Recorder shall put up notices of an election to be held within ten days of the Petition

ARTICLE 13th. No Person shall be allowed to vote after the adoption of these Laws and the election of officers at any Subsequent election except such voters be an actual owner of a claim or claims in the district

ARTICLE 14th. Nothing in these Laws shall be so construed as to restrict any citizen of the United States from holding all the claims he may purchase

ARTICLE 15th. Any person or persons holding claims on one lead or ledge shall be entitled to hold claims by location on other ledges that may be or shall have been discovered

ARTICLE 16th. This constitution Rules or Mining laws may be altered or amended by a two third vote of those attending a legally called meeting of the miners of this district

Amendment to said article Providing that the two thirds vote consist of fourteen or more

ARTICLE 17th. It shall be the duty of the Recorder at any time (10) that ten claim holders shall Petition to him in writing for the call of a miners meeting to change the Laws To post or cause to be posted in at least three conspicuous places notices of such meeting stating the time and place and object of such meeting

ARTICLE 18th. That when any company has put work to the amount of fifty dollars said work shall hold said claim for one year

AMADOR COUNTY.—JACKSON MINING DISTRICT.

MINING LAWS.

Proceedings of the first meeting of a Committee of Five held in Jackson, Amador County, State of California. Feb'y. 7th 1863—for the purpose of drawing up and defining the boundaries of a mining district in and for said Jackson and vicinity and drafting Laws for said district which committee of Five was appointed by the first Miners meeting which was held in the Court House in said Jackson Feb'y. 5th 1863 for the purpose of forming as above stated and organizing a Quartz, Copper and all other veins of metal Mining District. The above Committee to draw up Laws &c met for the first time Feb'y, 7th 1863 and organized by electing *J. G. White* their chairman and *Arthur Chambers* their Secretary

ARTICLE I. This District shall be known as the "*Jackson Quartz and all other veins of Metal District,*" and is bounded as follows:—

On the West by the East lines of the Mt. Echo and Newton Mining District on the South by the Mokelumne River; on the east by the east line of Township No. 1. of Amador Co. California to near the New York Ranch at a point where the same crosses the Volcano and Ione City Road which is known as the *Ridge Road,* north by said road to the place of beginning.

ARTICLE II. A Recorder for said District shall be elected by the voters of the District.

ARTICLE III. The Recorder of the District shall before he enters on the duties of his office, take an oath that he will keep a correct record of all meetings in and for this District and so enter them upon the Records of the District which he shall keep for that purpose. He shall also keep a true and correct record of all claims or records of claims in said district in the usual manner of making and keeping such records of claims in said District noting the day hour and minute of filing such records and at whose request upon such filings as well as in said records—such recording shall date from the filing of the same. The Recorder shall receive twenty-five cents for each claim so filed and recorded. Such recorder shall hold his office for one year and until his successor is elected and qualified.

ART. IV. The books of said Recorder shall be open at all times to the inspection of the claim-holders of said District as well also to all other persons.

ART. V. Persons can locate but one claim on any one lead in this District. All claims in this District shall be two hundred feet on and along said leads and five hundred feet wide—That is—two hundred and fifty feet on each side of the centre of the lead. All claims located shall be for residents of the State of California.

ART. VI. Any person locating a claim in this District (or cause it to be done) shall post up a notice at both ends of such claim stating the metes and bounds thereof the date of its location &c. When several claims are jointly located a notice put up at each end of such claims or company shall in like manner be posted and is sufficient for all such claims.

ARTICLE VII. (Repealed May 22nd 1863.) All persons or parties so locating shall within eight days after locating such claim file with the Recorder a description of all such claims or company stating the metes and bounds, date &c of the same.

ART. VII (as amended). A notice upon a claim shall hold the same for ten days only recording a claim shall hold the claim thirty days, after which time labor to the amount of two dollars per month for each two hundred feet must be expended upon the claims by the company excepting the months of December January, February and March, during which time such labor shall not be required. Provided however when the sum of $20.00 shall have been expended by any company for each share of 201 feet such claims shall not be considered abandoned for the term of one year. Parties wishing to avail themselves of this provision must post a notice upon the claims claiming the exemption and have the same recorded in the book of the Recorder of the District. Non-compliance with the provisions of this article shall be construed as an abandonment by them—of their claims. And for each succeeding year thereafter the same amount of labor and other requirements shall be performed as for said first year.

ART. VIII. All meetings in this District for the regulation of alteration, amendments &c of the laws in this District shall be called by the Recorder giving public notice of ten days preceding all such meetings or by ten persons having mining interests in this District giving such notice by putting up three notices in public places in the District—one of which shall be at the Post office door or room in Jackson Cala.

All claims located held and recorded in this district as per the foregoing Laws shall hold good for three months or ninety days in this district from the date of such Record.

All laws in this District shall take effect from and after the election and qualification of the Recorder of said District.

AMADOR COUNTY.—PLYMOUTH (FORMERLY PUCKERVILLE) MINING DISTRICT.

MINERS' LAWS.

At a regular meeting of the Copper and Quartz miners of Puckerville (Plymouth now) District, County of Amador and State of California, held at Puckerville February 11th 1863.

AUSTIN HART. *Chairman.*

B. F. RIGHTMEYER *Sectary.*

It was resolved that we the miners of this district do ordain and establish the following Rules By-laws and Regulations and ware adopted.

ARTICLE 1st This District shal be known as the Puckerville Copper Mining Destrict and shal include all the Copper mines within the following named boundaries Commencing one-half mile above Hooper's Quartz Mill on Dry Creek thence in a Westerly direction to Doman's Ranch thence in a northerly Direction to Musick Dale, thence up the Cosumnes River to Bomans and Hurenimes Bridge on Side River thence on Air Line to Wheeler's Flowering Mill on Indian Creak thence on Air Line to the place of Begining.

ART. 2nd Any Person who is a Resudent of the State of California may take up or Preempt one claim on Each Ledge of 200 feet in length and Five hundred feet in Width and shal be entitled to folow the ledge through all its dips spures, and angles—Including all its minerals thare in contained

ART. 3rd All Persons competent and who shall claim in this Destrict shall within Ten days from the time of location file with the Recorder of said Destrict a Description of their claims individule or in Company as the case may be.

ART. 4th Location sal be considered valed by placing Notices at the end of his or their claims Posted conspiciously baring the names of the Claimants and Date.

ART. 5th It shall be required of each respected Company to perform one day's work in each month or equivalent to be expended on the claim for each shareholder and in case none performed of said requirements said Companies claims shall be considered abandoned and liabled to be located by other parties as if said claims had not been located.

ART. 6th It shall be the duty of the Recorder of the destuck to keep a book of Records for the purposes of recording individules or companys' claims a cording to description thire of for fileing each description or companys the Recorder shall receive Twenty-five cents and for recording the same he shal recive Twenty-five cents for each claim the date of filing shall be evadence of priority of claimes in all cases the recorder shall alow one full extry claim for the discoverer of every new Lode in this destrict he being entitled to the same for his discovery.

ART. 7th Every transfer of Claims to be valid aganst third parties shall be plast upon record in the Recorders office of the Destrict and the recorder shall be entitled to the sum of fifty cents for recording such transfer and giving a certificate of the same.

ART. 8th. All meetings of this Destrict shall be caled by the Recorder or by Twenty Persons whose names shall be placed upon the Notices calling the meeting their shall be at least five notices at different Public Plases throughout Said District and one week at least shall elapse before the meeting shall be held.

ART. 9th. The turme of the recorder shall be six months from his election and he shall hold his office untill his successor is Elected.

After a companny shall have expended the sum of One hundred and Fifty Dollars to a full share on claims of 200 feet they shall have a good and valid title for the same for the Turme of two years.

ART. 11th It shall be the duty of the Recorder of this District to enter said laws upon his books and Keep the same open to Public inspection at all reasonable business hours.

ART. 12th No persons within the Boundrys of this Destrick shall hold more than one claim on every one lead except by Purchase but this articul shall not include the first discoverer of any New Lode.

By a vote at said meeting E. S. Potter was duly ellected Recorder for this Destrick.

AUSTIN HART *Chairman.*

B. F. RIGHTMYER—*Sectary*

At a meeting of the Miners of Puckerville (Plymouth) and vicinity held pursuant to notice at the store of F. Sheaver on Saturday evening May 23rd 1863, for the purpose of enacting laws to govern the different mining interests within the District—Austin Hart was called to the chair—and Jno. Jones appointed secretary

A committee of five was appointed by the chair to draft laws for the government of the District.

The following were submitted to the meeting and were unanimously adopted.

ARTICLE 1 This District shall be known as the *Puckerville* Quartz, Gold, Silver, and Copper Mining District.

ART. 2nd Said District shall be bounded as follows: Commencing at a point on the South Fork of the "Cosumnes River" one mile above the Forks and thence running on an air line until it strikes the Forks of Dry Creek thence on an air line to the Forks of *Dry Creek*, thence on an air line to the *Central House* thence to Southwest corner of Doman's Ranch thence on an air line to the Eastern boundry of *opossum Bar* District following said lines to the Cosumnes River thence up said River following its South Bank to the forks thence up the South Fork of said river one mile to the place of beginning.

ART. 3rd Any person being a resident of this state may preempt one claim on each of the Lodes named in Art. 1st. of 200 feet on said lode by 500 feet in width including all dips, Spurs, angles, cross and parallel leads within the aforenamed boundaries.

ART. 4th No person shall be allowed to claim locate more than one claim on the same lode in this District except the discoverer of a lode who shall be entitled to one claim extra for such discovery.

ART. 5th The boundaries of claims shall be established and defined by maintaining good and sufficient boundary marks at either end or in the centre of each companie's claims and by recording a description of them in the District Recorder's Books, and by posting at either end or in the centre of said claims a notice specifying each individual forming said Company.

ART. 6th A notice upon a claim shall hold the same for *ten* days. The recording of a claim shall hold the same for *thirty* days after which an equivalent of three Dollars per month for each two hundred feet must expended by the company excepting the months of December, January, February March during which time such labor shall not be required. Provided however that when the sum of seventy five Dollars in money or its equivalent shall have been expended by any company for each share of two hundred feet. Such claims shall not be considered abandoned for one year—Parties wishing to avail themselves of this provision must post a notice upon their claims, claiming the exemption and have the same recorded in the Books of the Recorder of the District.

A non-compliance with the provisions of this article shall be construed as an abandonment by them of their claims.

ART. 7th Lodes of Minerals that cannot be traced by croppings or other outward indications—such as gold-bearing Ochre's shall be considered abandoned until five days after water can be obtained to work the soil from off the ledge.

ART. 8th Placer claims shall be two hundred feet in length by one hundred feet in width to each claimant.

Hill claims shall be one hundred feet front and running into the hill across and including the lead or channel.

All Placer diggings shall be considered abandoned unless worked within ten days after water can be obtained.

ART. 9th A recorder shall be elected in this district shall hold his office for the term of six months his residence shall be within the boundaries of this district and he shall be required to give at least one week's notice prior to the expiration of his term of office by posting at least three notices in three of the most public places within the District to fill said vacancy. Said Recorder shall be elected by ballot and a majority shall elect.

ART. 10th It shall be the duty of the Recorder of this district to keep a Record of all meetings and their proceedings and truly Record all claims in the order they are presented noting the day hour and minute of filing the same and his Books shall be open at all reasonable hours for inspection by all claimants in the District who may wish to examine the same free of charge.

The Recorder shall receive the sum of twelve and one-half cents for each claim for recording and all transfers of claims shall be recorded by the Recorder of the District, and shall receive for the same Fifty cents.

These Laws shall be in force from and after their adoption.

J. A Robinson was elected Recorder.

A. HART, *Pres't.*

JNO. JONES *Sec'ty*

EL DORADO COUNTY.—DIAMOND QUARTZ MINING DISTRICT.

MINING LAWS.

At a meeting held at the Washington Hotel in Diamond Springs February 14th, A. D. 1863, for the purpose of forming a Quartz Mining District and enacting laws to govern the same Dr. S. F. Hamm was elected President of the meeting and W. M. Muffley, Secretary.

The President called the meeting to order, and declared the same duly organized and in order for business.

Whereupon the following By-Laws were adopted—

ART. 1. *Name.*—This District shall be known as the Diamond Quartz Mining District.

ART. 2. *Boundaries.*—The boundaries of this district shall be as follows, to-wit:

Commencing at Ladies Valley on the North fork of the Cosumnes River and running thence down said River to the mouth of Mathenas Creek. Thence following the Township line between Mud Springs and Diamond Springs to Webber Creek. Thence due North to the centre of the Divide between Hangtown Creek and Webber Creek. Thence following said Divide easterly to the point where the Road known as Bertram's Road to Placerville crosses said Divide under the South Fork Canal Co's Flume. Thence following the Road via Darlington's and Hank's Exchange to Ladies Valley, the place of beginning.

ART. 3. *Extent of claim.*—Three hundred feet shall constitute a claim in this District and each notice of claim in order to be effectual for the purpose of holding such claim or claims shall be filed for Record with the Recorder of this District within ten days from the date and frosting of such notice.

ART. 4. *Work.*—Each Company locating and recording claims in this District in order to hold the same for one year shall be required to do work on the same to the amount of Five Dollars for each full claim within Three months from the date of filing the same for record.

ART. 5. *Recorder and His Duties.*—A Recorder shall be elected whose duty it shall be to record all claims in a Book to be kept by him for that purpose and also to record in said Book all transfers of claims filed with him upon the payment to him of the fees allowed by these By-Laws.

He shall hold office for one year.

ART. 6. *Fees of Recorder.*—The fees of the Recorder of this District shall be as follows:

For filing and Recording each notice of Claim Five Dollars.

For recording each transfer one Dollar.

No services shall be required of him as above provided unless the fees be paid him in advance.

The meeting then proceeded to the election of a Recorder which resulted in the election of W. N. Muffley.

S F HAMM, *President*

W. N. MUFFLEY, *Secy.*

PLACER COUNTY.—ILLINOISTOWN MINING DISTRICT.

The Miners meeting (of which public notice was given by posting notice at Mr. D. W. Maddins. Illinoistown, and Mr. G. W. Applegates Lisbon, on March 10th 1863 to meet on the 21st of same month) convened according to notice at B. Bickells Hotel ½ past 7 o'clock p. m. 21st March 1863.

There were present the following gentlemen Messrs. Geo. W. Applegate, E. S. Yates, Thos. Smothers, Melvin Simons, Geo. Barrett, Wm McCartey, H. L. Price, Jacob Kick, Daniel Penman, O. F Leech, W. E. Cummings, T. Brown, John Sculley, S. W. Shepard, & B. Bicknell.

Mr. Keck was nominated chairman, and elected to the position

Mr. Penman was nominated secretary and elected to that position.

Mr. Kick on taking the chair spoke of the purpose of the meeting viz: to form a District by boundaries and adopt laws and regulations for the government of said Illinoistown Mining District.

After due debate of each section the following laws were adopted

After adoption of the laws Jonathan Brown was elected Recorder of the District

Meeting adjourned sine die

JACOB KECK *Chairman.*

DANIEL PENMAN *Secretary*

ILLINOISTOWN *March 21st* 1863.

LAWS AND REGULATIONS.

MARCH 21st, 1863.

SECT. I. The District shall be known by the name of the Illinoistown Mining District, and shall be bounded as follows, to wit: On the North by a line from Ford's Bar to Secret Town, thence to Bear River. On the East by the American River. On the South by the Lone Star Mining District, and on the West by Bear River.

SEC. II. The officer of this District shall consist of a Recorder elected by those taking part in these proceedings, who shall hold his office for the term of one year from the date of the election.

SECT. III. When twenty or more miners shall apply to the Recorder to call a meeting for the purpose of altering or amending said district laws, it shall be his duty to give public notice of said meeting

SECT. IV. It shall be the duty of the Recorder to keep in a suitable book a full and truthful record of the proceedings of all public meetings. To place on record all claims brought to him for that purpose; recording the same in the order of their date for which service he shall receive fifty cents for each claim recorded and forty cents per folio for recording the transfer, bill of sale or deed of any mining property. It shall be the duty of the Recorder to keep his books open at all times to the inspection of the public. He shall have the power to appoint a deputy to act in his stead for whose official acts he shall be held responsible.

SECT. V. All examinations of the records must be made in the full presence of the Recorder or his deputy and in no instance shall any person or persons making examination of such record be permitted to use pen and ink. The Recorder shall furnish to such person or persons a lead pencil with which memoranda may be made.

SECT. VI. Notice of a claim or location of mining ground by any individual or by a company on file in the recorder's office shall be deemed equivalent to a record of the same.

SECT. VII. Each claimant shall be entitled to hold by location two hundred feet on any lead in the district with all its dips, angles, and spurs, offshoots and out crops, depths, widths, variations and all the minerals and other valuables therein contained The discoverer of any location of a new lead being entitled to one claim extra for discovery.

SECT. VIII. The locator of any lead, lode or ledge in the district shall be entitled to hold sufficient ground on each side for the successful working of said ledge.

SECT. IX. Any person or persons, company or companies who shall locate ground under these laws, shall be entitled to hold and enjoy and receive all the profit of working any and all leads, lode or ledge of mineral deposit found and within the limits of their location and claim, by the running of tunnel, cut or shaft and drift, on any part of the ground claimed, which shall be considered as work done upon the claim and if such work amount to that required by these laws, the title of the lead, lode or ledge shall be deemed to vest in the locators and their assigns.

SECT. X. Every claim whether by individual or by company located shall be recorded within three days after the date of location.

SECT. XI. Three days labor shall be done on each claim or on the company's ground for each claim in order to hold the same: and said labor must commence within thirty days after record, and fully performed within ninty days from the date of record

SECT. XII. Whenever work shall have been done upon the claims of a company deemed to be of the value of or cost of five hundred dollars or upwards, the claims on which such sum shall have been expended cannot and shall not be subject to a forfeiture and relocation for the term of one year from the date of the last work done.

SECT. XIII. Whenever one thousand dollars shall have been expended on the claims of a company in this district the ground so claimed by the company shall be deemed as belonging in full to the locators thereof; and their assigns: and the same shall not be subject to location or re-location by other parties ever after, except by abandonment

SECT. XIV. No person shall be allowed to vote after the adoption of these laws and the election of officers, at any subsequent election except such voter be actual owner of a claim or claims in this district. All claim-holders shall be qualified electors.

SECT. XV. This constitution, rules or mining laws may be altered or amended by a two thirds vote of these owning claims in the district, at any time. Thirty day notice of such intention shall have been given, at three or more public places in the above district.

SECT. XVI. It shall be the duty of the Recorder to deliver all books and papers to his successor and for all certificates or transcripts the Recorder shall eceive 40 cts a folio.

NEW LAWS FOR GRAVEL MINING.

SECT. XVII. Locators of gravel or surface claims shall be entitled to hold 200 ft. in front, commencing at some point on the side or the base of a hill and running through said hill not exceeding one half mile, and where government surveys have been made, it shall be the duty of locators to locate in accordance with government surveys, where it is practicable to do so.

SECT. XVIII. Ravine claims shall be deemed to consist of 300 ft in length, in the ravine and 150. ft on each side, making in all 300, ft square.

Amendment.

SEC. IV. Amend sect 4, so as to read after (Shall be held responsible) The recorder shall receive fifty cents for each claim recorded up to ten and 25. cts for each claim over this number.

Aproved by the meeting

JOHN FRAZER, *Recorder.*

EL DORADO COUNTY.—PLACERVILLE MINING DISTRICT.

MINING LAWS.

We again publish for the information of those engaged in mining, the laws adopted by the miners of this District on the 21st of March, 1863, and which are still in force.

An adjourned miners' meeting was held in Placerville, on Saturday evening, March. 21st A C. Henry in the Chair. Mr. Wm. Smith from a committee previously chosen made the following report:

The Committee chosen to draft and report a code of By-laws for the "Placerville Mining District", respectfully report as follows:

First. *Boundaries.*—Commencing at the junction of Haugtown and Weber Creek, running thence in a Northerly direction to the South Fork of the American River, thence up on the South side of said South Fork, to a point opposite the mouth of Mosquito Canon, thence in a southerly direction to the junction of the North and South branches of Weber Creek; thence Westerly down the Creek to the place of beginning.

Second. *Extent of claims.*—Each claimant may hold two hundred feet in length upon a ledge or lode, with all its dips, spurs, and angles, and two hundred and fifty feet upon each side thereof; and the discoverer of any lode or ledge may hold two hundred feet in length additional to the above.

Third. *Recording claims, etc.*—Each claim must be filed for record within five days of posting notice thereof and the notice must distinctly specify the general direction of the claim ledge or lode and record made accordingly.

Fourth. *Work necessary to hold claims.*—Each company shall be required to expend at least seven days work upon the ledge or lode held by them, for and in every month of the time said claim is held; otherwise the same may be considered as abandoned.

Fifth. *Recorder. His duties etc.*—A Recorder shall be elected, who shall reside in the District, who shall record all claims or notices of claims, sales or transfers of the same, in a book which he shall provide for that purpose, and which upon his retirement from office he shall deliver to his successor, and who shall receive for his services, in fees, as follows: For recording any claim or notice twenty-five cents for each name attached thereto and for recording any bill of sale or transfer, fifty cents.

Sixth. *Amendments, etc.*—These By-laws may be altered or amended at any miners' meeting to be called as follows: To wit: Any fifteen or more miners interested residents of the District may call the same by publishing a notice with their names attached, thirty days in some newspaper of said District, or by posting the same in three of the most conspicuous places in said District, at least fifteen days prior to the time of said meeting and such notice must distinctly specify the proposed alteration or addition.

W. M. SMITH,
WM. KEMP,
Committee.

Which report was accepted adopted and the Committee discharged.
On motion the meeting was then adjourned *sine die.*

A. C. HENRY, *Chairman.*

(NOTE.—The above was taken from the *Weekly Democrat* a copy of which Mr. J. P. Cleese, the District Recorder furnished. He certifies as to the correctness of it.)

EL DORADO COUNTY.—EL DORADO MINING DISTRICT.

LAWS OF EL DORADO MINING DISTRICT.

ART. 1st This District shall be known as the El Dorado Mining District.

ART. 2d. The Boundaries of this district shall be as follows:—

Commencing at Sampsons Saloon at the head of Indian Creek thence down Indian Creek to Indian Springs thence in a Straight line to the mouth of Slate Creek on Dry Creek to the eastern Boundaries of Rose Springs Mining District, thence southerly along the line of said Rose Springs Mining Dist. to Big Cañon, thence along the Eastern slope of said Big Canon to Northern Boundaries of King's Store Mining District. thence easterly along the northern boundaries. of said King's Store Dist. to the eastern line of Mud Springs township thence northerly along said Township line to the place of beginning.

ART. 3d. No person shall be allowed to hold more than Three Hundred feet by location on the same ledge but can hold six hundred feet in width for the purpose of prospecting and defining his lead or ledge, the discoverer of a Ledge is entitled to an extra claim; but any and all persons may hold as many claims as they choose by purchase, provided they work the same according to the Laws of the District.

ART. 4th. A notice upon a claim to be valid must be written with Ink and placed upon a Board, Stake or tree in as conspicuous a place as possible and upon or as near the Ledge or lead as possible.—Such Notice must state the number of feet claimed describing as accurately as possible the boundaries thereof, containing all the names of the claimants with the date truely affixed., a true copy of which must be recorded by the District Recorder, within twenty days from the date of such Notice or such claim shall be considered forfeited.

ART. 5th. A notice upon a claim holds the same for 20 days only Recording the notice of a claim holds the same for ninety days only before the expiration of which time labor to the amount of $2.50 to each Three Hundred feet in a claim must be expended upon the claim by the company which holds the same for fifteen months from date of record the non-compliance with the provisions of this article by any company shall be construed as an abandonment by them of their claim.

ARTICLE 6th. A Recorder for this district shall be elected who shall hold his office for the term of twelve months.

ART. 7th It shall be the duty of the Recorder to truly Record the notices of all claims in the order in which they are presented to him in a book prepared by him for that purpose with the hour and date of such notice it being an exact copy of the one plased upon the claim by the claimants His book of Record shall be open for the inspection of all claimants in this District who may choose to examine it.

ART. 8. The Recorder shall receive the sum of two dolls. for Recording each company's claim and no claim shall be considered Recorded unless paid for by the claimants the Recorders Receipt for his fees being evidence of the claim being Recorded.

ART. 9th. In case of dispute between parties claiming the same ledge or lead each of the contending parties may choose an arbitrator and the two may choose a third person who shall be disinterested the three shall constitute a Board of arbitrators whose decision shall be final unless notice of an appeal be within ten days from the rendition of the decision.

ART. 10th. Nothing in these Laws shall be so construed as to conflict with the rights of those who have taken up surface or other claims under the old Mining Laws of this District, but have reference solely to Gold, Silver, copper, or other valuable mineral ledge recently discovered or that may be discovered within this District.

ART. 11th. All transfers of claims shall be Recorded by the Recorder who shall receive the sum of fifty cents for such record.

ART. 12th. No amendments or alteration shall be made to these laws unless a meeting of the miners of this District be called by Notice posted in three public places within this Destrict. at least before such meeting takes place five days.

ART. 13th. The Recorder shall transcribe the above Laws in his book of Records subject to inspection by all miners in the Destrict.

At a meeting held at the National Hotel in the Town of El Dorado (Mud Sp'gs) on Tuesday Ev'g, April 7th 1863 the above laws were unanimously passed.

J. McCORMICK, *Presd.*

S. N. WALKER, *Sec'y.*

U. S. Laws as given in Copp's Hand Book of Mining Law. adopted at a meeting of Miners Oct. 17th 1878.

BUTTE COUNTY.—FORBESTOWN MINING DISTRICT.

LAWS.

FORBESTOWN, *June 6th* 1863.

Miners meeting called to order by electing R. C. Gaskill Prest. and Robert Eccleston Secy. A motion was made & carried to appoint a committee of three to draft a set of laws to be presented to an adjourned meeting to be held in this place. on next Tuesday evening. The chair appointed Messrs. Vail, H. Maddox and R. B. Fry, Such

committee. Mr. J. T. Johnson was the elected Recorder. Motion adopted to give the District a name—Forbestown Mining District. A motion adopted that the committee of three appointed confer with the miners of Dixon District in regard to consolidating the two Districts, After which a motion carried to adjourn until next Tuesday evening at 8 o'clock.

R. C. GASKILL, *Pres.*

ROB'T ECCLESTON, *Secy.*

TUESDAY, *June 9th* 1863.

An adjourned meeting called the miners meeting of Forbestown District. Called to order by E. S. Owens esq. Chairman, Rob't Eccleston acting as Sec'y. A motion adopted to rescind the election of Recorder and also to alter the minutes of the last meeting be corrected accordingly adopted. A motion was carried without a dissenting voice to consolidate the Forbestown & Dixon under the name of the Forbestown Mining District. Some debate ensued relating to the boundary of the District. The committee appointed to frame laws then handed in their report which was made by the Sec'y. Report adopted and committee discharged. Motion then adopted to read & act on the laws separately. The 1st and 2nd Sect. were adopted and a motion adopted to alter the Section 3d, the laws as amended per the annexed document were adopted and made the laws of this District.

The meeting then adjourned.

E. S. OWEN *Chairman*

ROBERT ECCLESTON, *Secty.*
R. P. FENTON *Recorder.*

FORBESTOWN MINING DISTRICT LAWS.

SECT. 1st. This district shall be known and recognized as the Forbestown Mining District and is bounded as follows, to wit, beginning at the line of the Slate Ravine District on the east and following the county line of Butte and Yuba counties, running west to Robison Ravine thence following the line of said District runing North to the bluffs of the South Fork of Feather River, thence running up said bluffs of the River to the Slate ravine line thence south to the place of beginning.

SECT. 2d. There shall be two kinds of mining claims in this District to wit, Placer or Ravine claims and Quartz claims.

SECT. 3rd. The size of a Placer or Ravine claim shall be one hundred feet in length running up and down the ravine and the owner or owners of said claim or claims can work the same as wide as he or they choose and if a Quartz lode runs across the Placer claim the owner of the same shall be entitled to one hundred feet of the quartz lode fifty feet on each side of the main or deepest channel running through his claim.

SECT. 4th. The size of an individual claim on gold bearing, silver or other mineral veins shall be one hundred feet in length on the ledge, vein or lode including all lateral spurs, angles, variations intersecting veins with a width of two hundred feet on each side of the ledge.

SECT. 5th. When there is conflict in boundary or as to location the claim or claims first located shall have priority of right, location and property and the claim subsequent in date if it is a lateral interference may be extended by expansion on the other side if desired, providing that the same does not interfere with prior location.

SECT. 6th. A person may hold by pre-emption in Placer or Ravine diggins one claim and by purchase as many as he sees proper providing he causes the same to be worked one day in ten when there is sufficient water.

SECT. 7th. A person may pre-empt a claim on each lode or vein in this District but no person shall be allowed to locate more than one claim on the same lode, but may hold as many as he chooses by purchase. Also the discover is entitled to one claim extra for Discovery.

SECT. 8th. Every claim located in this District must have good substantial notices specifically setting forth the direction nature and extent of the claim posted at each end of the same in some conspicuous place and a copy thereof filed in the office of the Recorder within ten days thereafter.

SECT. 9th. Each Quartz Mining Company who has claims in this District upon which Fifty Dollars worth of work shall not have been expended must be worked upon in good faith, at least two in every thirty days by the company holding said claims and all ground which shall not have been so worked within thirty days shall be deemed vacant ground and subject to location the same as though it had not been located. Those claims on which work to the amount of Fifty Dollars shall be done on may Be held by the claiment for the period of six months after work shall have been stoped on the same, when the claim shall be considered abandoned.

SECT. 10th. All placer or Ravine claims may be laid over by having the same Recorded from the time natural water fails until it can be obtained again.

SECT. 11th. A Recorder shall be elected for this District who shall hold his office until a successor shall be elected; he shall enter on file and record in a book of records of mining claims all copies of claims located in this district which may be presented to him for record, and his book of record shall at all times be open to inspection free of charge; he shall be entitled to receive before performing any service of filing and recording any copy of notice for a claim consisting of from one to six names the sum of one dollar all over that two dollars.

SECT. 12th. The Recorder shall call meetings of the District when requested by five or more persons in good faith or in his judgement it is necessary. Such call shall be made by posting written notices thereof in three public places in the District ten days previous to holding of said meeting and be the secretary and keep and record the proceedings of this meeting and the laws and regulations Thereby adopted, and he shall also post a copy of said laws in three of the most public places for public convenience in the District, within ten days hereafter. He may appoint a deputy in case of his absence or inability.

SECT. 13th. The record of mining claims of this District shall be kept at the town of Forbestown.

SECT. 14th. These laws shall be in force and effect from and after their adoption.

E. S. OWENS *Chairman.*

ROBT. ECCLESTON, *Secretary.*
R. P. FENTON, *Recorder.*

SISKIYOU COUNTY.—EMPIRE MINING DISTRICT.

MINING LAWS.

At a Quartz Miners Meeting held at J Myers & Miller's house on Empire Creek Siskiyou County State of California on the 15th day of February 1864 in accordance with a published notice given thereof, the following business was transacted:

On motion Jacob Myres was chosen Chairman and J. Johnson Secretary.

On motion the Chair appointed the following committee to draft By-Laws E. B. Lovelace, Samuel Bowden, John Rohrer, James Coffman and Perry Murry.

ART. 1. This Quartz District shall be known and designated as the *Empire Mining District* and shall embrace all that section of Siskiyou County lying between and more particularly described, commening at the mouth of Ash Creek, and runing due north to the State line until it intercepts the due North course from the mouth of Beaver Creek, thence from the mouth of Beaver Creek up the north side of the Klamath River to the place of beginning.

ART. 2. That a pre-emption Quartz claim in this district for each individual shall not exceed one hundred one hundred yards in length horizontally on the course of the ledge and shall include all the spurs angles and variations thereof to the extent of twenty five feet on each side from the centre of the ledge.

ART. 3. That no person shall be entitled to hold more than one claim upon the same ledge by preemtion except by the right of discovery in which case the discoverer shall be entitled to hold two claims

ART. 4. That each claim of one hundred yards shall be represented by at least one days labor being performed there on respective month from and after being located *provided*. nevertheless that parties who may so elect shall have priveledge of doing the amount of work in advance for the period of six months. Also that companies owning claims jointly may represent all of such clams by performing the requsite amount of labor at any point within their bounds and that all persons failing to comply with the provisions of this section shall be deemed to have forfeited their right and title thereto

ART. 5. That a location of a quartz or mineral ledge shall consist in the party or parties thereto posting a written notice thereon setting forth the number of claims and amount claimed together with a description of the ledge so claimed. that the same shall be dated when put up and the names of the claimants appended thereto and that a notice of such location shall be recorded by the Recorder of said District within five days after such location

ART. 6. That no person or persons shall have acquired the right of locating of claims without first having posted his notice on said said claims previous to Recording the same.

ART. 7. That any person or persons who have done or desire to do the requsite amount of labor to lay their claims over for six months, as provided in Article 4 shall file with the recorder a notice of such fact together with the date when such claim shall expire.

ART. 8. That a Recorder shall be elected for this district for the term of one year who shall record the claims in a book kept for that purpose, and that his fees shall not exceed one dollar per notice.

ART. 9. That these laws shall be in full force and effect from and after the 20th day of February 1864

On motion the foregoing laws were read and adopted.

On motion Jacob Myres was elected Recorder of this mining District.

On motion the secretary was requested to furnish a copy of the proceedings of this meeting to each of the papers of Yreka for publication.

On motion adjourned *sine die*

JACOB MYRES *Chairman.*

J. JOHNSON, *Secretary*

MARIPOSA COUNTY.—COULTERVILLE MINING DISTRICT.

QUARTZ MINING LAWS COULTERVILLE DISTRICT PASSED MARCH 5TH 1864

Persuant to a Call the Quartz Miners of Coulterville and vicinity met in convention at the Saloon of Capt Aiken Coulterville for the purpose of taking action in Reguard to the mining intrests of this district Township No 4 Mariposa County J W Fuqua Elected Chairman and S A Scott Secretary

On Motion the secretary Read the Quartz mining laws of 1851 and now governing our County

On motion of George Counts the convention Resolved itself into a committee of the whole and adapted the following articles for the government of Coulterville District

Whereas the Quartz Mining Laws of Mariposa County passed and adapted at Quartzburg on the 25th day of June 1851 are inconvenient and not adapted to the wants of this mining community Therefore the miners and Resident Citizens of the District embracing all that part of Mariposa County Known as Township No 4 do ordain and Establish the following By-laws Rules and Regulations for the Government in the location Recording Working and Holding all auriferious veins of Quartz or other Rock containing Gold Silver Copper or any other metal of value therefore be it

Resolved, that the following laws be adapted

ARTICLE 1st. The Boundaries of this District

ARTICLE 2. This District shall be Known as the Coulterville District

ARTICLE 3. Any Resident of this State may hold by Right of Prumption one claim of 250 feet in length on each vein or ledge with all its spurs dips and angles to the Exstent of one hundred and fifty feet on Each side of the vein or three hundred feet in width and the discoverers of a new vein or ledge shall be intitled to One Extra claim of 250 feet

ARTICLE 4. All locations shall be considered valid by having one or more notises posted in som conspicous place upon the claim bearring the names of the claimants discribing the bondaries of the claim giving the date of the location

ARTICLE 5. Any person or persons hereafter locating claims in this district shall file or cause to be filed with the district Recorder a full and particular discription of his or their claim with each of their names anexed within 20 days of the date of location

ARTICLE 6. All persons holding claims in this district which have been Recorded in the Clerks office of Mariposa County prior to the adaption of these laws or who have acquired any claims by purchise shall file with the Recorder of this district on or before the first day of January 1865 a full and concise description of there claims and the nature of the title thereto which Record shall be taken and held as valid in this district as if said claims were newley located

ARTICLE 7. It shall be Required of every person or persons locating claims in this district to perform one days work or expend Three dollars in money on som portion of the Companys Claims for each full share in said claim within Sixty days of the date of their Record and one days work or $3 in money for each 60 days thereafter until they shall have spent seven days work or its Equivalent in money ($21.00) and in case of failure of said company or any individual to comply with the above Requirements the claim or claims thus neglected shall be forfeited and liable to location anew by any other parties

ARTICLE 8. After any individual or company shall have exspended in developing their vein or ledge in money or labor to the amount of $21.00 to each full Share and may desire to sease operations thereon and shall make affiavit thereto by their authorized agent or some one of their company before some person authorized by law to administer oaths and shall file a copy of said affidavit with the District Recorder within 30 days after the completion of the work as aforesaid Or in case of Old Claims previouly Recorded in Mariposa within 30 days after the date of their filling the Record in this District they shall be intitled to Exemption from forfeiture for twelve months from the date of filling affidavit and after any individual or company shall have Exspended in developing their vein or ledge in Money or labor to the amount of forty dollars ($40) to each full share and make and file the affidavid as aforesaid they shall be entitled to Exemption from forfeiture for Two years and after an individual or company shall have Exspended in developing their vein or ledge in Money or labor to the amount of Seventy five ($75) dollars to each full Share and make and file their affidavit as aforesaid they shall be entitled to Exemption from forfeiture for five years and after an individual or company shall have Exspended in developing their vein or ledge in Money or labor to the amount of one hundred dollars to each full share and shall have erected a Mill for the purpose of crushing the Quartz taken out of their vein or ledge and file their affidavit as aforesaid and in either case herein mentioned Receive from the District Recorder a Certificate to that effect shall be entitled to exemption from forfeiture for ten years from the date of filling affidavit for filing affidavet and giving certificate the Recorder shall be entitled to Receive one dollar

ARTICLE 9. There shall be a district Recorder Elected by the Electors of this Meeting who shall hold his office for one year from the first Saturday in March 1864 and continue in office until his successor shall be elected and quallified and in case of his death Removal or Resignation his successor can be Elected any time by a meeting Regularly called according to article 10

ARTICLE 10. At any time a meeting in this District may be called by 20 persons holding claims in the District whose names shall appear on the notice Calling said meeting which notice shall be posted in three public places in the District not less then 20 days before the day set for the meeting and a copy of said notice filed with the recorder

ARTICLE 11. The Recorder shall Reside in and Keep his office in the Town of Coulterville and before entering upon the duties of his office shall take and subscribe to an oathe before some person competent to administer the same faithfully to perform the duties of his office according to the best of his abillities and the Requirements of the laws here adapted

ARTICLE 12. It shall be the duty of the Recorder to keep a well Bound Book in which he shall Record at full length a complete description of all claims filed for Record in his office with the names of the claimants annexed and mark the date of filling the same in the Book of Records for Recording each description with one name thereto One dollar and for each aditional name thereto 25 cents for furnishing a certified copy of a Record when Required one dollar and for any other services which may be required of him shall be entitled to the same fees as are allowed by law to the County Recorder for similar servises

ARTICLE 13. The Recorder endorse upon the description of Each claim filed for Record the day hour month and year when the same was filed for Record

ARTICLE 14. These laws shall take effect and be in force on and after the fifth day of March 1864

ARTICLE 15. All Quartz Mining laws heretofore observed and in force in this district are hereby Repealed

ARTICLE 16. The Books of the Recorder shall always be open to the inspetion to any one, and he shall deliver them to his sucessor in office

On motion the convention Elected George Counts esqr Recorder for the ensuing year

Resolved, that the proceeding of this convention be published in the Mariposa papers

On motion the convention adjourned

J W FUQUA *Chairman*

S A SCOTT *Secretary.*

STATE OF CALIFORNIA

County of Mariposa

I hereby certify the above and foregoing as a full true and correct copy of the Quartz mining laws of the Coulterville Quartz Mining District

Given under my hand (there being no seal of office) This 14th day of December 1880

B. F. MORRIS

Recorder of Quartz Mines for Coultersville Mining District

YUBA COUNTY.—DOBBIN'S CREEK MINING DISTRICT.

BY LAWS.

SECTION 1. This mining district so far as relates to mining on mineral veins shall be known as the Dobbin's Creek District and shall be included in the following boundaries to wit; commencing at the junction of the South Branch Turnpike (opposite the Oregon House) thence following said Turnpike to the Bridge on the North Yuba river, Thence up the said North Yaba River to George Mixes Bridge, Thence along the said Mixes road to the mountain cottage; thence on a line from the mountain cottage to the John Eich House thence along the Marysville and Camptonville road to the place of beginning.

SECTION 2d. The size of an individual claim on Gold, Silver or Copper veins shall be two (2) hundred feet in length on and along the main lode, the same including and imbracing all lateral Dips, Angles, Spurs, Variations, Deposits, Fitters intermediate and intersecting veins to the wedth of one hundred feet on each side of the main lode in all its dips and wedths, a person discovering a Lode may locate a claim for such discovery besides his individual claim.

SECT. 3. Claims may be located by one individual or by a company in which case their possession and right shall be as tenants in common unless otherwise stipulated by the parties

SECTION 4th. All minerals such as Gold, Silver Copper or other precious metals found within the limits of a claim located under these laws shall be and is a part of the claim so located the same as if such claim had been in the first instance located for such mineral and the land imbraced within the limits of such claim shall be and is a part of such claim subject only to whatever drainage may arise from the working of the mine or mines prior in location.

SECT. 5th. A person or persons may locate and shall any or all claims located by such person or persons or purchased by them, and when claims are located and held by two or more persons as one company, work done up on any portion of said ground with reference to said claim as a whole shall for the purpose of holding the same be considered work upon the whole claim.

SECT. 6th. Persons or companies owning claims adjoining each other on either or both ends may consolidate such claims and after such consolidation may be held owners and possessed by such person or company as a consolidated mining claim and work done on any part of the mining ground so (located or) consolidated shall be considered work upon the whole or each claim.

SECT. 7th. Every claim when located in this district must have a good substantial notice specifying the extent of the claims posted on said claim in a conspicuous place and a copy thereof within thirty days after such posting shall be filed for record in the recorders office of this district and such notice shall give to such person or persons the possession of said claim and the right of possession and property upon complying with the laws of this district as to working the same.

SECT. 8th. When claims conflict in boundaries or as to location the claim or claims first located shall have priority and the claim subsequent in date if it be a latteral interference may be extended by expansion on the other side of said claims if desired, provided the same does not interfere with a prior location.

SECT. 9th. All ground located and claimed in this district which one hundred dollars worth of work and improvement done on the Ledge shall hold the same for one year, but if not must be worked upon in good faith at least two days in every thirty, and all ground which shall not have been so worked within thirty days shall be deemed and considered vacant land and subject the same as if it had never been located.

SECT. 10th. In the location and holding of claims the measurement of length and width shall be lineal and horizontal, and all persons now claiming locations are requested to locate the same so as to conform to the rules and regulations adopted by this meeting. To have the same surveyed by definite meets and bounds on and along the main mineral lode located and at the beginning and end of said vein when practicable to plant permanent stakes and to record a copy thereof hereinbefore required. The boundries of all claims shall accommodate themselves to the main lode it may be determined by the process of working or sinking down on said lode.

SECT. 11. A Recorder shall be elected for this district who shall hold his office for the term of one year or until his successor is elected. He shall enter on file and record in a Book of record of mining claims all copies of notices of claims recorded in this district which may be presented to him for record and his book of records shall be at all times open to inspection free of charges. He shall be entitled to receive before performing any services for filing and recording a copy or notice twenty-five cents for each notice and twenty-five cents for each claim.

SECT. 12th. The recorder shall call meetings when requested in writing to do so by five or more persons in good faith owners in two or more companies that have located and are opperating in any Gold, Silver or Copper lodes in this district, And such call shall be made by posting three written or printed notices thereof in three public places in the district ten days previous to the holding of said meeting He shall attend such meeting and be the Secretary thereof and keep on record the proceedings of said meeting and the laws and regulations thereby adopted. He may appoint a deputy to act as recorder in case of his disability or absence but in no other.

JAMES McMENOMY *President.*

GEORGE J. MIX *Secretary.*

I hereby certify the above Laws to be a true copy of the original adopted at Gardners Ranch March 26th 1864 and approved at Dobbins ranch April 17th 1864.

JOHN M. GARDNER *Recorder.*

MONO COUNTY.—BLIND SPRINGS MINING DISTRICT.

Meeting of miners of Blind Springs Dist held February 1865 the following laws were adopted.

ART. 1. This District shall be known as the Blind Springs District & shall be bounded as follows. Commencing at Whiskey Flat and running northerly up Blind Springs Valley to the mouth of Hot Spring Cañon. thence West & south up the east side of Hot Spring Cañon through the divide to a point due west of the place of beginning.

ART. 2. Duties of Recorder, as to keeping books, & recording locations. Fees $2.00 for recording location & $1.00 for each additional name.

ART. 3. All examinations of records to be made in presence of Recorder or deputy.

ART. 4. Recorder to visit & measure claim before recording.

ART. 5. Issueing certificate of labor $1.00 after making examination of work done.

ART. 6. All claims hereafter located shall not exceed 400 feet in length on the surface including all dips spurs and angles with 50 ft on each side of the vein for working purposes.

ART. 7. Requiring the placing of notice on a stake put in stone monument 2 feet high.

ART. 8. All locations must be recorded within ten days after discovery.

ART. 9. All claims in this District shall have at least 4 days work done on each 400 feet in each & every month till work is done to the amount of $400. When the owner or owners thereof shall be entitled to a perpetual title & may receive a certificate from the Recorder to that effect upon paying the required fee.

ART. 10. The discoverer of a new ledge or lode shall be entitled to an extra 400 feet for discovery.

Meeting held March 23d 1865 & the foregoing laws adopted as a whole.
F. C. Smith elected Recorder.

Meeting held May 4th 1865 and article 4th of the laws amended so as to make it compulsory for the Recorder to go on the ground before recording a claim. Also amend article 9 Making 2 days work per month on a claim until $200 worth of work has been performed sufficient to obtain a perpetual title.

Meeting held July 8th 1865.
Article 9th amended to read:

Locations now & hereafter shall have 2 days work done on them within one month from date of location which shall entitle owners to hold until May 1866 & when $200 worth of labor is done on 400 feet, the holder of the location shall be entitled to a perpetual title upon paying fees.

Meeting held November 18th 1856 at Camp Enterprise to amend the law defining the boundaries of the Dis't after appointing chairman & Secty the meeting adjourned to Novbr 25th

Meeting Novbr 25th 1865.
Article 1st amended to read:

This shall be known as Blind Springs Mining District to be defined as follows. Commencing at Whiskey flat & running Northerly up the Centre of Blind Springs Valley to the mouth of Hot Spring Cañon, thence along foot of the hills to a point opposite to & easterly of the main cañon leading to Black Lake Valley. Thence to said Cañon about one mile south of the Hot Springs. Thence to southern end of Black Lake & thence along the southern shore of said Lake to a point westerly five miles, thence southerly to the North West corner of, or boundary of Indian District, thence along the North West boundary of said District to the point of beginning.

Meeting held March 20th 1875.
On motion the mining laws of the United States approved May 10th 1872 with the amendments thereto were adopted as the mining laws of this District. All laws of this District in conflict are hereby repealed.

Meeting held March 27th 1875.
Committee on revision of the District local laws reported as follows.

1st. The boundary of Blind Springs District shall be as follows to wit. Commencing at Whiskey Flat at Mrs. Morans house & running due North to a point due East of Hot Spring Cañon, thence West 10 miles, thence south to the northern boundary of Indian Mining District, thence along the northern boundary of said Dis't to the place of beginning.

2d. Adoption of U. S. Laws with District modifications.

3d. Making surface width on each side of the vein 100 feet.

4th. The present holders of locations shall have the right to increase the size of their claim to 1500 feet in length by 200 feet in width, when such enlargement shall not conflict with any other, the ground to be surveyed & the enlargement recorded.

5th. The Recorder to hold office one year.

6th. Annual meeting to be held November of each yr.

7th. The duties of the Recorder, keep a suitable book or books, record all claims in the order of their date, after going upon the ground & seeing that the necessary monuments have been properly placed, to give certificates for assessment work after having measured the same—his fees to be as follows to wit:

Surveying & Recording a claim	$10.00
Surveying & Recording an enlargement	10.00
Certificate of labour	5.00
Certificate of Copy of record	1.00

8th. Location notices to be placed on each monument, stating the number of feet claimed, the direction of the ledge, the boundaries governed by some permanent marks, as a tree, rock or house, the name of locator or locators with number of feet claimed by each, a copy to be filed for record with the Dist Recorder within thirty days after location.

9th. Each location shall be surveyed and recorded within 30 days or the claim will be subject to relocation.

BUTTE COUNTY.—LOVELOCK MINING DISTRICT.

This district shall commence at the West Branch of Feather river at the Dogtown line and running on said line to the Forks of Butte district boundary line; thence on said line to Inskip boundary and Easterly to the West Branch of Feather river and down said river to the place of beginning. And this district shall be called Lovelock District.

1st. A claim on a Quartz lode or vein shall be three hundred (300) feet with all dips spurs and angles and one hundred feet each side of said ledge. The discoverer being entitled to one claim extra or two claims.

2d. All persons shall have one claim on as many different lodes as they may locate & by purchase all they buy on Quartz.

3d. All parties holding Quartz claim or claims in this district shall do fifty dollars worth of work every year that a notice posted on the said ledge will hold good for ten days and a record on the books will hold good for thirty days previous to the work. That each days work shall be five dollars on said ledge due therefor.

4th. All persons holding Gulch or ravine diggins shall be entitled to one hundred yards up the said ravine by forty yards wide.

5th. Surface claims or claim shall be one hundred yards by one hundred feet.

6th. Hill diggins shall be one hundred feet front and running into the hill without limit.

7th. All persons holding claims shall be entitled to a sufficient tail race to drain his or their claim or claims. If he is the first locator.

8th. A notice posted on the ground claimed will hold good for ten days from date to be recorded at the expiration of that unless recorded except the person or persons so claiming shall be actually at work on the same

9th. It shall be the duty of the Recorder to proceed to the place of location and measure all claims so requested & for such service he shall be entitled to two dollars per day or part of day.

10th. The Recorder shall keep a book where in he shall keep a correct record of all matters pertaining to his office. It shall be open for the inspection of all persons applying for the same.

11th. That Chas. Kingman be appointed Recorder for this district for the term of one year or until his successor is chosen and the Recorder shall be entitled to fifty cents for recording each claim with one name and fifty cents for each additional name. He shall preside at each meeting, post notice for same

12th. That the Recorder shall be elected by ballot, Each person residing in the district ten days or upwards shall be entitled to one vote. The board of election to determine shuch vote. It shall consist of the Chairman & Secretary of the meeting who shall declair the result to the meeting, which shall be final

13th. That these laws shall take effect on & after their passage and all laws or parts of laws in effect previous and in conflict with these are hereby repealed.

14th. That the first location shall be entitled to the natural water which may accumulate in his claim, ravine, gulch or what not for mining purposes.

The aforesaid Mining Laws passed April 3rd A D. 1865.

JEFFERSON SIGGINS, *Pres.*

H. B. RAY, *Sect.*

Amendment to section 1. A claim on a Quartz lode or vein shall be fifteen hundred feet (1500) long with all dips spurs and angles and six hundred in width

15th. No Chinaman or Mongolian shall pursue the occupation of mining in this District

CONTRA COSTA COUNTY.—MARSH CREEK MINING DISTRICT.

MINING LAWS.

["The Mining and Scientific Press," June 3rd, 1865.]

MINING LAWS OF MARSH CREEK MINING DISTRICT, CONTRA COSTA COUNTY, STATE OF CAL.

Adopted at a meeting held in said district by the miners, for the purpose of defining the district, and making proper mining laws for the same.

Resolved, That as Congress has made no rules and regulations for the government of the mining districts of the State, and, as the State Legislature of California has provided by Statute, and accorded to the miners of California the right of making all laws, rules and regulations that do not conflict with the constitution and laws of California, in all actions respecting '*mining claims*'.

Resolved, That this district shall be known as the Marsh Creek Mining District, and shall consist of the following townships, to wit: One north range two east, one south range two east and one south range three east, Mount Diablo Meridian; excluding all homesteads and improved pre-emption claims

RULES AND REGULATIONS.

ART. 1st. A claim in this district shall consist of two thousand six hundred and forty (2,640) feet square.

ART. 2. That every person who shall locate a claim in this *district*, shall be required to post a notice giving the boundaries of his claim, in a conspicuous place, which shall hold said claim for ninety (90) days. Before the expiration of this time, from date of location of the same, the party having posted said notice, shall be required to do or have done, one day's work on his claim, which shall hold the same for the following six months, and one day's work for every six months following shall hold his claim thereafter.

ART. 3. Every person locating claims in the said district, shall be required, within five days after posting said notice, to have the same recorded by the Recorder of the said district, and the Recorder shall receive for such services, one dollar for each notice so recorded.

ART. 4. When a company of persons locate or have located more than one claim, they shall not be required to do the work required in art. 2, of this code of laws, upon every claim separately. But they shall be at liberty to do the whole amount of work upon any one or more of the different claims.

ART. 5. A Recorder shall be elected and shall hold office for one year. It shall be his duty to keep a book and properly record therein all notices of claims presented to him, in conformity with Art. 3, of this code of laws. It shall be the duty of the Recorder to deliver to his successor in office, all books, records, papers, etc., belonging to or pertaining to his office, all transfers shall be noted in the book of records; for which service the Recorder shall receive the sum of fifty cents each.

ART. 6. These laws shall not be changed without the consent of five-sixths of the occupants of claims in this district.

ART. 7. These by-laws, rules and regulations shall take effect from and after the twenty-seventh day of May, A. D. 1865.

EL DORADO COUNTY.—BIG CAÑON QUARTZ MINING DISTRICT.

MINING LAWS ADOPTED AT DUNCAN'S STORE NOVEMBER 11TH 1865.

ARTICLE 1st. This District shall be known as Big Cañon Quartz Mining District—Bounded as follows: Commencing at the Forks of the Cosumnes river up North Fork to the mouth of Cross Cañon and up said cañon to the south line to the Middle fork down Fork to the place of beginning.

ART. 2nd. There shall be elected annually a Recorder on the First Saturday of September his duty will be to keep books for the purpose of recording all quartz claims that may be located within Big Canon District. Said Recorder shall keep a truthful and correct record of all claims given to him to be recorded, for which he shall be entitled to receive one dollar for each claim.

ART. 3rd. It shall be lawful for each person to hold Three Hundred feet on any ledge or Lode and one hundred and fifty feet on each side of said ledge with all dips angles and spurs with all minerals contained therein, the discoverer shall be entitled to Three Hundred additional feet of the ledge.

ART. 4th. As many persons as may please can form themselves into one company or more each person being entitled to three hundred feet of ledge each company being considered as one claim.

ART. 5th. In order to hold a claim it shall be necessary to work at least one day in thirty and when work amounting to *One Hundred dollars* shall have been done shall hold it for six months.

ART. 6th. Every notice of location after having been posted ten days shall be be placed on record in the book of the recorder for Big Cañon district.

ART. 7th. It shall be lawful at every annual election for Recorder to propose amendments to these laws the Recorder shall then give ten days notice of the intention to amend by posting notices in three public places in the District.

ART. 8th. At said meeting for the purpose of amending the laws of the District it shall require a majority of two-thirds of all the voters present to amend.

ART. 9th. All laws which may have been made heretofore for the purpose of regulating Quartz Mining in Big Cañon Mining District are hereby repealed.

B. A. MOSELEY, *Pres.*

H. R. SMITH, *Secty.*

EL DORADO COUNTY.—HENRY'S DIGGINGS MINING DISTRICT.

LOCAL MINING LAWS ADOPTED JUNE, 1867.

ARTICLE 1st. This District to be known as the Henry's Diggings Mining District and bounded as follows:—North by the Cosumnes r. & Steeley's Fork—East by what is known as the Meadows. West by Lady's Valley Mining District—South by Middle Fork of Cosumnes River.

ARTICLE 2nd. A claim on any quartz lode or vein shall be 200 feet in length with all its dips, spurs, angles and variations with 100 feet on each side of the ledge—except in case of a parallel ledge, in which case the parties shall hold at equal distances from their respective ledges. The discoverer of a ledge shall be entitled to one extra claim.

ARTICLE 3rd. A notice placed on a claim shall hold good for 10 days and a record of said notice shall hold good 20 days from date of record. Work done on any claim to the amount of one day's labor to each share of 200 feet shall hold good the claim for 60 days but if sufficient proof that the owner of a claim or claims have not faithfully complied with the 2nd clause of the Article the claim or claims shall be declared forfeited.

ARTICLE 4th. Work done on any ledge of quartz to the amount of $300.00 shall hold the same good for one year and be recorded. by the Recorder of the District

ARTICLE 5th. Work done on any quartz claim by way of running tunnels, open cuts &c shall be considered as work done on the ledge and a notice should be posted on the tunnel or open cut and on the ledge stating the same.

ARTICLE 6th. A surface claim shall be 250 feet square to each person one extra claim for the discoverer and in a gulch or ravine 300 feet in length with 150 feet on each side from the centre of gulch or ravine.

ARTICLE 7th. All surface claims shall be worked within 10 days after water can be procured.

ARTICLE 8th. A hill claim shall be 100 feet front for each person running to the centre of the hill and no one claim shall exceed 400 feet front. Work on any hill claim to the amount of $300 holds said claim one year.

ARTICLE 9th. A river claim shall be 250 feet in length and in width from base to base. Such claims shall not be subject to relocation from December 1st to June 1st. if recorded in the District record by the 1st of December.

ARTICLE 10th. There shall be a recorder elected annually for this District by the miners of the District whose duty it shall be to keep a strict record of all claims presented to him and on presentation of a notice for record it shall be his duty to make a note of the time when said notice is presented and before recording the same shall visit the ground claimed in said notice and satisfy himself whether said ground is vacant or not and shall establish the boundary lines of said claim as nearly as practicable.

ARTICLE 11th. The Recorder shall keep a Book of Records at his office which shall be open for inspection at all times in his presence or his deputy. He shall hold his office for the term of one year from the date of his election, unless removed for neglect of duty or inability.

ARTICLE 12th. The Recorder shall receive 50 cents. for each name on all notices recorded by him and at the expiration of his term of office or removal shall deliver all records and papers to his successor.

ARTICLE 13th. A notice to revise or amend these laws and to elect or remove a Recorder shall be signed by five of the resident claim-holders and posted in three of the most public places in the District for ten days.

ARTICLE 14th. All laws or parts of laws that have heretofore existed in this District are hereby repealed.

R. P. CULVER *Chairman*

D. T. STEELEY *Secretary.*

(The United States Mineral Laws were adopted at a meeting of the miners held August 3rd, 1872 with this difference, That instead of 300 feet to be claimed on each side of the ledge, only 150 feet on each side was allowed.)

YUBA COUNTY.—BROWN'S VALLEY MINING DISTRICT.

MINERS' MEETING.

At a meeting of miners of the Browns Valley Mining district held on the third Monday in May A D 1870 Said meeting having been regularly advertised in the Marysville Daily Appeal a newspaper published in the County of Yuba according to the Customs and regulations of said district, On Motion W. W. Nelson was called to the Chair and James L. Hall appointed Secretary.

On motion it was unanimously adopted that a committee of three be appointed to draft a new code of laws for the mining district of Browns valley.

The Chair by consent thereupon appointed as such committee, James Read, A. T Moline, and W. H. Hogle, with instructions to report before the adjournment of the meeting.

The report of the committee on rules and regulations for the district was received, acted upon by sections and adopted as follows.

1st. Browns Valley Mining District shall be bounded as follows.—Commencing at a certain point on Dry Creek at the centre of Smith's Valley. Running thence in a Northerly direction up said Valley to Payne's School House on the Fosters Bar road, Thence in a Westerly direction down said road to the ranch known as the Parkhurst ranch, thence in a Southerly direction to the Yuba River,

thence up said River to the mouth of Dry Creek thence up Dry Creek, to the place of beginning, Act 1st respecting quartz lodes. A Quartz Claim within the district shall not exceed 150 feet in length to each locator, (provided nothing in this article shall prohibit the holding of more than one claim by purchase and conveyance on any one ledge or lode, nor more than two hundred feet on each side of the ledge for improvements thereon. Provided however, all dips spurs, angles and variations are included.

2d. That each and every Quartz claim held or owned by any Company or individual shall perform work or labor to the amount of forty dollars each year. *Provided* one-half of said amount shall be Expended within the first six months from the passage of this act. The remaining half of said amount to be Expended within the remaining six months thereafter. Or the whole amount of work or labor may be done at the option of the Claimant within the first six months. Provided nothing in the above section shall apply in this section to claims already having done work. Or improvements thereon to the amount of two thousand dollars.

3d. Any claim or claims owned by a company or individual failing to comply with the above regulations shall be forfeited and subject to relocation.

4th. Any person or persons entitled by the laws of the United States to hold a mining claim, Shall be entitled to hold one Quartz claim on each Quartz Lode or Ledge in this district by location. *Provided* that a locator may hold one additional claim by virtue of discovery of the same.

5th. Claims shall be signalized by a notice describing the same, placed sufficiently conspicuous to be easily seen with the name of each claimant attached thereto. *Provided* that no claim or claims shall be valid that is not recorded with the district Recorder within ten days after location.

6th. The annual meeting of this district shall be held on the first Monday in May of each year at which time new rules or regulations for governing this district may be made. *Provided* that a notice shall be published in a County newspaper at least ten successive days prior thereto or by three written notices. posted in public places within the district thirty days prior to such annual meeting. At the annual meeting each year a District Recorder shall be elected who shall have the custody of the records of this district and who shall file and Record all claims presented for Record and be entitled to receive 25 cents for each and every name of claimant in a company and 50 cents for his certificate to each location of a company.

7th. Any person or persons properly qualified according to existing laws may hold by location, One River claim, one Ravine Claim and one drift claim, provided that no person locate more than one claim on either of the same. One River or Bar claim shall be 300 feet in width on the River, and run back to the centre of the Hill. A Ravine claim shall be 150 feet long by 150 feet on each side of the centre of the Ravine. A Surface claim shall be 200 feet square, and the same rules and regulations as regards recording Quartz Claims shall also apply to River, Ravine and drift claims.

8th It will be necessary always for persons locating Surface Ravine or River Claims to post their notice in a conspicuous place, and to have a copy of the same on Record within ten days from date of location with the Recorder of said district.

9th All River, Ravine and Surface claims that are workable on which no work has been performed for the term of one month shall be deemed forfeited, unless work and labor preceding that time shall have been performed to the amount of five hundred dollars, which shall be sufficient to hold the same indefinitely.

10th Upon the removal by death or otherwise of the Recorder from the district or his inability to act from any cause it shall be competent for him to appoint some proper and discreet person, a resident of the district, to act as Recorder until the next annual meeting—

Moved and Seconded and unanimously Carried that these Rules and regulations be spread on the Records of the district by the Recorder.

J VITTE *Recorder.*

BUTTE COUNTY.—GREELY FLAT MINING DISTRICT.

DECEMBER 12, 1872.

Pursuant to a notice a miners meeting was held at Maury Ranch, in Greely Flat mining District in Ophir Township Butte Co. and State of California, on Thursday Dec. 12th, 1872 for the purpose of making new laws and regulations to govern the District and also to define its boundary—The meeting being called to order John Schneider was elected President and Geo. B. Baldwin Secretary—The following resolution was carried unanimously

Resolved that as there are no mining laws to be found to govern this district, the President do appoint a committee of three to draft new laws and also to define the boundary of this district.

William Forsyth, Thomas Gaffney and Geo. B. Baldwin were appointed. They submitted the following laws &c. which were unanimously carried by the meeting viz:

SEC. 1st That this District be called Greely Flat mining District and shall be bounded as follows; on the north by the centre line E and W of sec. 19 T 19 4 E M. D and on the East by the Eastern line of Sec. 19 and Sec. 30 T. 19. 4. E. M. D and the South by the South line of Sec. 30 and Fether River being its western boundary.

SEC. 2nd That all claims in this District shall be 200 feet long by 200 feet wide with a right of way to Robinson Hill, Strawberry Garden Bluffs or to Feather River of 20 feet wide for a cart road to ha the pay dirt for the purpose of washing it, with sufficient ground at the before named Bluffs or River for making dumps and for tailing—

SEC. 3rd That all claims are considered workable from the first day of March until the 1st day of December and from that date to the 1st March are not considered jumpable.

SEC 4th That all claims that are not represented from the 1st day of March to the 1st day of Dec. every 30 days are considered abandoned, consequently are jumpable.

SEC 5th That a copy of these laws and the proceedings of this meeting be recorded at the County Recorder's office of Butte county and all mining claims to be recorded at that office:

JOHN SCHNEIDER *President*

GEO. B. BALDWIN *Secretary*

Recorded at request of John Schneider Dec, 16th 1872 at 2 P. M.

W. H CHAPPELL *Recorder*
by JNO P. LEONARD *Deputy.*

BUTTE COUNTY.—LIVE OAK FLAT MINING DISTRICT.

LAWS

At a meeting held at Live Oak Flat Butte County California on the 5th day of July A. D. 1872, persuant to notice given F. W. Day was appointed chairman and J. A. Wardwell Secretary of meeting.

Upon motion a committee of three (3) were appointed by the chairman to draft laws, mark regulations and designate bounds of claims in said District. The committee appointed by the chairman consisting of Geo. B. Baldwin, John Griffith and I. Forsythe, who upon due deliberation submitted the following to be placed upon the records of Butte county.

1st Live Oak Flat mining District shall embrace the northwest ¼ of Sec 17, Tp 192, Range 4 East Mt. D. M. as per U. S. Survey, but not to come in conflict with the land granted for the town site of Oroville in said quarter section

2cd A mining claim in said District shall be as follows 3½ chains running North and South and 20 chains running East and West. The front claim to commence at the West line of the North West ¼ of Section 17 and run East 20 chains and the back claim to commence at the West line of the E ½ of the N. W. ¼ and to run 3½ chains North & South and twenty chains East and West, Each claim or company of claims to have a notice posted on the ground and corner stakes set.

3rd The amount of work required to be done to hold each claim shall be ten ($10) dollars for each claim and a company owning more than one claim can do all their work on any one of their claims providing they join together in one lot.

Resolved that a copy of these laws be recorded in the office of the Butte county Recorder in mining Records, and thall all mining claims in said district be recorded in same office,

T. W. DUY *Chairman*

J. A. WARDWELL *Sec'y.*

Recorded at request of John Griffith Sept. 5th 1872, at 12 m. in Book A, Butte County mining Records.

W. H. CHAPPELL *Recorder.*

SAN BERNARDINO COUNTY.—BORAX LAKE MINING DISTRICT.

At a meeting held at State Range mill on the 28th day of April 1873 by citizens interested in claims on State range lake—On the meeting being called to order Mr Wm B. Caldwell was nominated & elected president and W. Drew Sect'y of meeting. The following business was then transacted—

A motion was made to form a mining Dist which was carried unanimously—

Motion made to name the Dist "Borax Lake Dist—carried—

Motion made that the Presd't appoint a committee of five to define the boundaries of the Dist & draft a code of by-laws for same, carried—& the Presd't appointed Chas Leaming, Jno Searles, John McGilora & Samuel Harper—

Motion made that a meeting be called for next Thursday May 1, 1873 at this place at 10 a. m. that the com report at that meeting & the Sect'y be directed to have notice posted in three of the most public places in the Dist, carried—

Motion that the meeting now adjourn to Thursday next at 10 a. m. carried—

W. B. CALDWELL *President.*

WALTER DREW *Secretary*—

At a meeting of miners at Slate Range Dist San Bernardino County Cala May 1st 1873 in accordance with a public notice of the same given by being posted in three public places on said Lake

W. B. CALDWELL—*Presdt*

W. DREW—*Secty*

Whereupon the following mining laws were adopted—

SEC 1— This dist shall be known as the Borax Lake Dist & shall be bounded as follows—Commencing at a point one half mile north of the edge of the Lake on section line between George Dalton & Dan Steven's claim, from thence east to the foot hills to a point, thence along said foot hills in a southerly direction 14 miles to a point thence west to said section line to a point, thence to the place of beginning—

SEC 2—A mining Recorder shall be elected on the first day of May of each year who shall hold his office for a term of 12 months & until his successor is duly elected & qualified & he shall have power to appoint a Deputy whose acts shall be as legal as the Recorder & the Recorder or Deputy shall reside in the dist—

SEC 3—It shall be the duty of the Recorder to go & examine any claim that may be brought to him to be recorded & in case the same is not upon private property & has not been before taken up recorded & worked according to these laws, shall place the said party or parties in possession & post a notice in some conspicuous place on the claim or claims describing the boundaries of the same—& he shall take duplicate of such notice & record the same and give certificate therefor, for which he shall receive 50 c for each claim in such notice so posted & 50 c for recording & giving certificate of record—

SEC 4—Each locator shall be entitled to 20 acres upon any Borax Lode & kindred substances or deposits, but nothing herein shall be so construed as to prevent any person from purchasing as many claims as he pleases subject to the laws of the United States governing said Borax lands. Each claim shall embrace all Borax, Soda & Kindred substances or deposits that may be situated within the limits of the claim—

SEC 5—Claims may be located jointly or severally & not to exceed 160 acres—$25 worth of work may be done on each claim for every three (3) months & the work may be done for twelve (12) months at one time & in case more than one claim in company the

work may be done in one or more places for the whole & the work may consist of any kind that is intended to improve the claim & develope its resources—and provided also that when a locator or his legal agent shall have performed work to the amount of $100—& produce satisfactory proof thereof to the Recorder, it shall hold the title good for one year—

SEC 6—Any person or persons holding claims failing to comply with section 5 such claim shall be forfeited & subject to relocation—

SEC 7—Any person or persons desiring to locate a claim or claims shall make application to the Recorder to be placed in possession thereof whereupon the Recorder after payment of his fees shall proceed to the ground & examine the same & if it is not upon private property & has not been located as described in Sec 3 & if the same has been taken up & recorded and is forfeited, he shall place the person or persons in possession, post a proper notice in a conspicuous place on the claim, take duplicate thereof & record the same—

SEC 8—All mining claims located & held prior to this date shall be worked & held under these laws & recorded within 30 days from this date—

SEC 9—All claims shall be recorded within 30 days after notice—

SEC 10—All deeds & transfers of mining property in this Dis't shall be recorded in the Recorders office in this Destrict for which the Recorder shall receive 30 c for each folio of one hundred words—The Recorder shall be required to keep a well bound book for recording any claim & one for deeds & transfers—Also the Recorder shall keep a record of all work of assessment done on any claim & if found sufficient according to section 5, he shall when required give certificate therefor, for which he shall be entitled to 50 c for each certificate given.

SEC 11—It shall be the duty of the Recorder to keep all books appertaining to his office in a safe place & allow interested persons to examine them at any time in his presence & not otherwise—

SEC 12—These laws shall go into effect on & after this date & shall be recorded in the office of the County Recorder of San Bernardino County, & can only be amended by posting notices in three of the most conspicuous public places in this Dist for the space of 30 days & publishing the same in one of the newspapers in San Bernardino County for same length of time—

At an adjourned meeting pursuant to call of the miners of Borax Lake Dist met at this place on Thursday May 1st 1873—

The minutes of last meeting being read & adopted, on motion W. B. Caldwell was re-elected President & W. Drew secty The report of the committee was then read & each section adopted

Motion made to elect Recorder, carried

Motion made to have the vote taken "viva voce" & W. Drew was declared elected.

Motion made that the Presdt & Secretary of this meeting be authorized to call a meeting for business at any time by giving 30 days notice in three public places in the Dist or at the request of five miners interested in claims in the Dist—

Meeting adjourned.

W. B. CALDWELL, *Presdt*

WM DREW *Secretary.*

SAN BERNARDINO COUNTY.—BRIER MINING DISTRICT.

At a meeting called on the 3d day of May 1873 pursuant to a public notice given of the same, being posted in three public places in what has been heretofore known as West Side of Borax Lake Dist. San Bernardino Co Cala—

BY-LAWS.

SEC 1—This Dist shall be known as the Brier Dist commencing at the North West corner of Borax Lake Dist from thence West to the foot hills to a point, thence in a southerly direction following the foot hills fourteen miles to a point, thence to the South West corner of said Borax Lake Dist thence to the place of beginning—

N. B—The laws comprise twelve sections all of which are the same as those of Borax Lake Dist—

C. C. THOMAS *Presdt*

C. LEAMING *Secty*

EL DORADO COUNTY.—KELSEY MINING DISTRICT.

MINING LAWS.

Adopted May 7th 1873. and are in conformity to the Mineral Law of Congress of May 10th 1872.

ARTICLE 1st This District shall be known as Kelsey Mining District and shall include Kelsey Township.

ARTICLE 2nd All Quartz Claims hereafter located whether located by one or more persons may equal but not exceed fifteen hundred (1500) feet in length along the vein or lode and shall extend three hundred (300) feet on each side of the middle of the vein or lode at the surface; the end lines of each claim shall be parallel. All Placer claims hereafter located shall conform to the U. S. Surveys and may equal, but shall not exceed twenty (20) acres to each person named in the notice but no company shall locate more than one hundred and sixty (160) acres.

ARTICLE 3. All notices of the location of Quartz Claims shall be in the form hereto annexed marked "A"

All notices of the location of Placer claims shall be in the form hereto annexed marked "B"—The notice shall be posted in a conspicuous place on the claim, and a copy filed with the Recorder of the District within twenty days after such posting—

ARTICLE 4 The Recorder shall note upon each notice filed with him the time when it was received stating the year, month day hour and minute, and shall record the same in a book to be kept by him for that purpose which book shall be open to the inspection of all persons at reasonable hours.

ARTICLE 5. Any person or corporated company locating a mining in this District shall be required to have expended in actual labor upon each and every claim the sum of one hundred dollars within one year from the date of record and one hundred dollars in each and

every year thereafter, until they shall obtain a U. S. Patent therefor—Upon all claims located prior to the adoption of these By-laws, until a U. S. Patent is obtained therefor, labor shall be performed or improvements made in each year as follows: On Quartz claims ten dollars for each one hundred feet in length along the vein; and on Placer claims not less than one hundred and fifty dollars.

ARTICLE 6. The Recorder shall at the request of any party, go upon the ground and define the claim, measuring and staking the same. It shall also be his duty to go upon any claim at the request of the owner, survey the work required to be done by Art. 5 and to give his certificate, if he is satisfied the necessary amount has been done—

ARTICLE 7. The fees of the Recorder shall be as follows: For filing and recording each notice of a Quartz claim, for each one hundred feet 25 cents. For filing and recording each notice of a Placer Claim for each name 25 cts. For going upon the ground at the request of any person to define and stake a claim or to survey the work done, to include the certificate $2.50 For travelling to and from his office to the claim for each mile 25 cts. For making copy of any notice from the record and certifying the same $1 00. For each certificate issued by him except the above named 50 cts.

ARTICLE 8. The Recorder shall be elected by the miners of the District and shall hold office for one year from the date of his election and until his successor is elected—All elections shall be by ballot, and the polls shall be open not less than two hours.

ARTICLE 9 One month before the expiration of his term of office, the Recorder shall call a meeting of the miners to elect a successor—At the request of any ten miners of the District the Recorder shall call a meeting to amend these laws twenty days notice shall be given for such meeting and the notice shall state amendments desired, but no amendments shall be adopted without the vote of two-thirds of the miners present at the meeting.

ARTICLE 10—The Recorder shall act as Secretary of all miners meetings, keep a record of the proceedings and preserving all papers and documents thereto belonging.

ARTICLE 11. The Recorder shall have power and it is hereby made his duty to appoint a deputy to act in his absence, but such deputy shall have no power when the Recorder is present.

ARTICLE 12. All mining laws heretofore made or existing in said District are hereby repealed.

BUTTE COUNTY.—MAGALIA MINING DISTRICT.

Whereas the Miners of Magalia Mining District in the County of Butte and State of California are desirous of adopting a code of Mining Laws suitable to the present condition of things and whereas the Old laws of this District have been long since lost and abrogated by the custom and usage of miners Now therefore resolved that we the Miners of Magalia Mining District in Meeting Assembled uppon due notice given do establish and adopt the following rules and regulations for said District

The boundaries of said District shall be as follows to wit—Commencing at the southwest corner of Lovelock Mining District thence running East on the South line of said last named District to the mouth of the Little West Branch of the West Branch of Feather River thence continueing East to the top of the dividing ridge between the waters of Concow Creek and the West Branch of Feather River thence southerly down Sad Ridge to the Spring Valey Canal and Mining Companys ditch where it crosses the Ridge East of the West Branch of Feather River thence West to Mineral Slide and Middle Butte Creek thence North to the place of beginning.

ARTICLE 1st There shall be five classes of Claims known in this District to wit River claims Gulch claims quartz claims Flat claims and Hill claims.

ART 2d A claim for mining purposes in what is known and designated herein as a River claim shall be five hundred feet in length and Extend from bank to bank.

ART 3d A claim in what is known and designated herein as a Gulch claim shall be five hundred feet in length and one hundred feet on either bank.

ARTICLE 4th Quartz claims and all lodes of precious Metals whether located by one or more persons shall not exceede one thousand five hundred feet in length and three hundred feet on either side of the middle of the vein or lode at the surface.

ARTICLE 5th Flat claims may equal but shall not exceed twenty acres to each individual claimant and shall so far as practicable conform to legal subdivisions.

ARTICLE 6th Hill claims shall be three hundred feet front running to the center of the Ridge back and the base of the Hill shall be the bank of the River creek or Gulch or depression adjacent thereto.

ARTICLE 7th No person within the bounds of this District shall hold more than One claim by location except on mineral Lodes or veins, may hold on Lodes, or veins, in conformity to the laws of the United States.

ARTICLE 8th The bounds of claims shall be Established and defined by Good and substantial stakes or monuments at Each corner Except as to Hill claims which shall be staked at the front corners or by monument of Rocks plainly to be seen and the side lines at convenient distances not less than three on Each side or trees in line blazed. A notice shall be pasted in a conspicuous place On Each claim or body of claims describing the same with convenient certanty and shall be recorded by the District Recorder in his office or in the office of the County Recorder of Butte County and a certified Copy of such notice shall be prima facie Evidence of the location of such claim or claims Such claims must be distinctly marked on the ground so that its boundaries can be easily traced All records of mining claims shall contain the name or names of the Locators the date of the location and such a description of the claim or claims located by reference to some natural Object or permanent monument as will identify the claim.

ARTICLE 9th On Each claim located not less than fifty dollars of labor shall be performed or improvements made during Each year. When claims are held in common such expenditure may be made on any one claim. Labor shall be reconed at five dollars pr day. Claim holders shall be entitled to all the minerals in their boundaries

ARTICLE 10th A Recorder of this Mining District shall be chosen to hold office for the term of One year and until his successor be elected and qualified and shall be paid fifty cents for Recording each notice with one or two names and ten cents for each additional name The Recorder may appoint a Deputy Recorder. The Recorder or Deputy shall have the custody of the books and shall be oppen to inspection in his presence with the laws and proceedings of this mining District

ARTICLE 11th A failure to comply with the foregoing provisions the claims shall be deemed and held to be open to relocation

ARTICLE 12th All former laws are hereby repealed

ARTICLE 13 These laws shall be in force and take effect from and after their adoption by this meeting

ART. 14th Upon the location of anny Minning Claims within this District said Claim shall be recorded within thirty Days thereafter and work commenced thereon with reasonable diligence

SAN BERNARDINO COUNTY.—CAJON MINING DISTRICT.

BY-LAWS RULES & REGULATIONS.

At a meeting of miners & citizens interested in mining claims in the vicinity of Cajon Cañon held at Mr Cablesons the 19th day of March 1874 in the County of San Bernardino State of California

The meeting was called to order and H. G. Cable chosen chairman & L. H— Warren Secty, the following resolutions were offered & unanimously adopted—

That the mining interests of this locality demand the formation of a mining Dist & that this meeting proceed to form a new district & enact such laws & regulations as shall in no way conflict with the United States Mining laws—

Resolved—That this district be called the Cajon Dist & hereafter to be known as the "Cajon Mining District—"

It was then moved & seconded that there be a committee chosen to fix upon boundaries for the district & draft by-laws & regulations for the government of the same—

In accordance with the above resolution the following com was chosen—H. G. Cable. J. J. Atkinson & L. H. Warner & after consultation reported as follows—

Sec 1—This District shall be known as the Cajon Mining District in the County of San Bernardino State of Cala—& shall be bounded as follows—Commencing at Martens station & following the toll road to J. M. Frears station, from thence in an Easterly direction to Mr Holdens ranch, thence to Jobo peak, thence to mouth of Devil'cañon, thence to Martens station—

Sec 2d A Recorder shall be elected on the 19th day of March of each year who shall hold his office for twelve months, & until his successor is duly elected & qualified & shall have power to appoint a Deputy whose acts shall be legal as the acts of the recorder—It shall be the duty of the Recorder to record mining locations in this Dist when called upon so to do—

Sec 3—The Recorder or his Deputy shall reside in the Dist & shall be entitled to the fee of 75c for each & every claim located. All mining claims located within the limits or boundaries of this Dist must be recorded, a proper notice must be posted on a monument or in a conspicuous place at the time of location shall have been made & all locations must be recorded by the Recorder of the Dist within 30 days from date of location—

Sec 4—A written notice must be placed on a monument built for the purpose of distinguishing the vein or lode of each location & each notice must give full number of feet claimed with the name or names of the locators & date of location with each description of the claim or claims located, by referring to some natural object, or giving the points of compass of the running of the ledge or lode—No claim shall be more than 1500 feet in length nor extend more than 300 feet on each side of the middle of the vein at the surface, but not to conflict with other claims previously located—

Sec 5—Each locator of placer claims within this Dist may locate 20 acres for each individual claimant—

Sec 6—The amount of $40 00 in work shall be done on each location in this Dist within six months from date of location & $60 00 in work must be done during following six months to hold claim for one year—

Sec 7—Any claim or claims that have been located within this Dist prior to the adoption of these laws by posting a notice or notices on the same, the locator or locators thereof may furnish the Recorder a true copy or copies of such notice or notices for record within sixty days from the date of the adoption of these laws & when such notice or notices are so furnished for record & recorded, such claim or claims shall be deemed & held to be properly located

Sec 8—Mill sites or water privileges may be located within this Dist in a similar manner prescribed for locating mining claims with the following additional requirements—The party or parties desiring to locate such mill site or water privilege must state in writing in their application to the Recorder to be located, what particular purpose they wish to locate such water claim for & how long before they intend to take possession of the same for the purpose or purposes so stated—The Recorder shall place such application upon record & if the same is not upon private property & has not been previously located according to these laws or if the same has been located & abandoned, he shall post a proper notice in some conspicuous place or on a monument erected by the claimant, stating the name or names of the locator or locators the purpose for which the location is made & the length of time before they intend to enter upon & make use of the same, for the purpose in said notice, which shall not exceed five (5) acres of land—After a mill site or water privilege has been located & recorded in this Dist, if the locator or locators thereof do not apply such site or privilege so located to the purpose or purposes stated in their written application or make improvements on the same to the amount of $25 00 within six months from the date of such location, the same shall be considered abandoned & subject to relocation—provided the party or parties are living on the claim so located it shall not be subject to relocation so long as said party or parties continue to reside thereon—But in case all the claimants are non-residents for six consecutive months & fail to put the claim or claims to use for which the same were located or expend on the same less than $25 00 in improvements for six months or $100 00 for twelve months, the same shall be considered abandoned & subject to relocation as aforesaid—

Sec 9—Deeds & transfers of mining claims & water privileges in this District shall be recorded in the Recorders office of San Bernardino County State of Cala—

Sec 10—These by-laws may be amended or changed by a ⅔ vote of the miners present & voting at a meeting called by the Recorder for the purpose of amending the same—A meeting calling for the change of the by-laws of this Dist must be called by public notice posted in a conspicuous place within the Dist for 30 days & signed by the Recorder of the Dist—

Sec 11—These laws shall go into effect from & after the 19 day of March 1874 & shall be recorded in the office of the County Recorder of San Bernardino Co—within 30 days from said date—

Your committee would respectfully recommend the adoption of the foregoing laws & regulations entire—

H. G. CABLE
L. H. WARNER
J. J. ATKINSON
Com

The meeting then proceeded to vote for Recorder, & L. H. Warner having received the largest number of votes cast for that office was declared duly elected

Meeting adjourned sine die

H. G. CABLE *Chairman*

L. H. Warner *Secty*
San Barnardino Co—Cala *March* 19th 1874.

BUTTE COUNTY.—FORKS OF BUTTE MINING DISTRICT.

MINERS MEETINGS.

FORKS OF BUTTE MINING DISTRICT *May* 1st, 1878.

Meeting called to order pursuant notice of April 20th 1878 for the purpose of electing a recorder for this mining district viz, Forks of Butte

Geo. E. Green and Z. T. Wilcox received nominations as candidates for said position.

After considerable sparing it was decided to vote by ballot, Geo. E. Green receiving fourteen votes being a majority of all votes cast was declaired elected and took the chair vice Geo. Boston and after returning thanks for the honor conferred upon him called the meeting to order and opened under the head of general business On motion made by Jno. Dix to have a committee appointed to consider and revise the present By Laws of this mining district and by acclimation Jon Dix, Jas Vary and N. L. Knowlton were appointed as such committee to consider and revise said By Laws and to report at next meeting.

On motion of V. B. Allen the said committee were authorized to furnish a book necessary for the purpose of receiving the records, laws, etc and other matters of business pertaining to this mining district motion carried by all present

There being no other business of importance to transact, meeting adjourned to meet the first day of June 1878 by order of Chairman

J. Y. CANFIELD *Sec*

GEO. BOSTON *Ex Recorder*

MINERS MEETING.

JUNE 1st, 1878.

Pursuant to an adjourned meeting of the miners of this district held at Jno Dix camp May 1st, 1878, The miners of said district met this day to act on report of committee appointed at last meeting to consider and revise the present By Laws of this mining district.

Meeting called to order, Geo. E. Green in the chair, P. H. Hankins appointed secretary pro tem.

Minutes of last meeting read and approved.

Report of committee on By Laws received and committee discharged

Articles in report were taken up and acted upon seperately. With slight variations all articles were approved and accepted and ordered spread upon the records of Forks of Butte mining District as the laws by which it shall be governed.

On motion of M. J. Berdan a committee of one was appointed to take up collection to defray expense of purchase of book and a sufficient amount was recovered.

There being no other business of importance to transact motion to adjourn was carried sine die

GEO. E. GREEN *Chairman and Recorder*

P. H. HANKINS *Secretary pro tem.*

Mining Laws Forks of Butte Mining District, as revised and passed upon June 1st 1878.

We the miners of above named district assembled this date June 1st 1878 for the purpose of revising and establishing mining laws of this district in relation to locating and operating mining claims have agreed upon the following code of laws which are to take effect on this First day of June A. D. 1878 and are to remain in effect until changed by a regular authorized meeting of the miners of this district.

ART. I The boundaries of this district shall be as follows viz. Commencing at a point opposite the Allen & Taber claim on main Butte Creek Running thence up main Butte Creek to the North line of Nimshew mining District, thence along said line to intersection with the Cherokee mining ditch. Thence taking said ditch as East boundary line following same to head dam of said ditch; thence running due West to ridge dividing Big Chico Creek and the West branch of Butte Creek; thence in a Southerly direction following along said ridge to Allen & Taber claim; thence in an Easterly direction to point of beginning.

ART. II Mines or claims in this district shall be divided into and classified as follows viz: Quartz or Lode claims and Placer claims. Quartz claims being those wherein the deposit is found in a vein and shall be operated and governed in accordance with U. S. Mining Laws taking effect May 10th A. D. 1872. Placer claims shall be divided into two (2) classes viz: River and Hill claims. River claims being those located in the channell of Main Butte Creek and the West Branch of Butte Creek and shall not exceed Two hundred feet in length and as wide as the stream at a medium stage of water. Hill claims being those located at or above high water mark if in the neighborhood of any active stream and shall be of the following dimentions viz: Five hundred feet fronting on stream and extending back Fifteen hundred feet at right angles with stream. The side boundary lines being parallel to each other in all cases.

ART. III [Location] Any person or company locating a placer claim in this district shall comply with the following requirements viz: The location must be distinctly marked on the ground so that its boundaries can be readily traced and a notice of location containing the name or names of the locators. The date of location and such a description of claim or claims located by referring to some natural object or permanent mark as will identify the claim (The amount of ground and nature of claim to be governed by Art. II of this code of laws) It is also required that One hundred Dollars worth of work be done on each claim to hold same for one year. Notice as above to hold good Twenty days and at the expiration of that time if no work has been done on claim it shall be considered void and the ground subject to new location.

ART. IV. None but citizens of the United States shall be allowed to operate and locate claims in this district.

ART. V. No Chinese shall be allowed to operate mining claims of any kind within the boundaries of this district, either by purchase or location.

ART. VI. Election of a recorder and his duties. A Recorder may be elected by the miners of the district, One week notice having been previously given of such intended election by posting written notice in public places. A majority of those voting shall at all times elect. The term of office shall not be less than one year and shall continue thereafter until new election. His duties shall be as follows viz: He shall keep a true account of all claims recorded and shall see that the name or names of all locators appear upon notices of locations, also that the date of location and a legible description of the claim appear on same and that the description shall refer to some natural object or perminent mark by which the claim may be identified at any time. When so requested the Recorder shall accompany the locator to his claim and establish the boundaries for which he shall be entitled to an additional fee of Fifty cents for every mile traveled and the regular charge of One dollar for every claim recorded. He shall preside as chairman at all miners meetings in the district and shall keep a copy of United States and District laws and a record of all meetings.

ART. VII By a written request from three miners of this district, the recorder shall at any time call a meeting.

ART VIII Only members of this district who are citizens of the United States shall be authorized to vote at miners meetings in this district

MINERS MEETING JUNE 19 1879

Special miners meeting held at John Dix Camp this date June 19th 1879 to take action in regard to ejectment of Chinamen mining on Main Butte creek in Forks of Butte Creek Mining District.

Meeting called to order Recorder Green in chair on motion of Mr. Thompson V. B. Allen appointed Secretary pro tem. On suggestion of Chairman Mr. Hastings was called upon to state what had been done in way of ejectment (He having claims in closest proximity to where Chinamen were mining) In answer Mr. Hastings briefly stated that he and his partner had called upon the Chinamen and notified them that they were not allowed to mine in *this* district and at the same time pointed out as accurately as possible the boundaries of said district, To which the Chinamen paid little or no attention.

That speeches were then made in favor of ejectment without violence by Messrs. Knowlton Seeyle, Arper, Vary and others. After considerable sparing (18) eighteen miners present volunteered to go and notify the Chinamen in person that they must leave and upon motion of Mr Arper it was unanimously decided to meet at the Recorders office Sunday June 22d, 1879 at 8 o'clock a. m to proceed in a body to where Chinamen were.

On motion of Mr. Arper the Secretary, pro. tem, was instructed to obtain legal advice in regard to the matter from the U. S marshall.

No other business to transact on motion of Stuart Seelye meeting adjourned "sine die".

GEO. E. GREEN *Chairman*

V. B. ALLEN *Secy pro tem.*

BUTTE COUNTY.—INSKIP MINING DISTRICT.

A meeting of the Miners was held in Inskip Mining District, May 17 1879 at John Stokes Hotel, for the purpose of making laws, choosing a Recorder and transacting such business as they might deem necessary for a mining district.

MINUTES OF MEETING.

MAY 17th, 1879.

Meeting called to order by G. L. Nealley, H. H. Burnham was chosen President. J. M. Daggett was chosen Secretary.

The meeting proceeded to the enacting of the laws for said district and electing a recorder John Stokes recorder.

We the miners of Inskip believing that there are lands in this vacinity, among the richest in minerals and deeming it necessary to pass laws for the protection of mining in all of its forms do enact the following laws

ART. I. This district shall be known as the Inskip Quartz and Placer Mining District; bounded as follows Commencing at the reservoir at the head of the Dewey ditch now owned by the Cherokee Co. then running down the West branch of Feather river to a point due South from Powelton, thence in a direct line North by Powelton to Butte Creek, then up Butte Creek to Butte Meadows and thence in a direct line to point of beginning.

ART II. Any miner in this District may by preemption hold the following claims, to wit, One Ravine or Creek claim, one surface Claim, One Hill claim and One Quartz Claim.

ART. III A Ravine or Creek Claim shall be one hundred yards in length and not exceed one hundred yards in width. A Hill claim shall be one hundred and fifty feet front and extend back to the centre of the hill. A Surface claim shall be one hundred yards square. A Quartz Claim shall be three hundred feet in length and fifty feet in width on each side of centre of ledge and shall include dips, spurs and angles within said limits.

ART. IV Any person discovering any of the above named claims on any *deposit* not previously discovered shall be intitled to one extra claim for discovery

ART. V All notices of claims shall designate the number of claims and be signed by each and every person claiming.

ART. VI All persons wishing to lay over their claims for any period less than twelve months may do so by having them recorded in the Record book of this district, and all claims not so recorded shall be considered abandoned and may be re-located.

ART. VII It shall be the duty of the Recorder, when requested, to survey and stake out all claims for which service he shall be entitled to and collect the sum of one dollar for each and every claim so surveyed and he shall receive one dollar for recording each and every claim.

ART. VIII All persons locating claims shall place a notice in plain view stating as near as possible the way the claims lay, and all Quartz claims located by notice shall have the same placed as near as possible over the vein or load, seting forth the direction of the same, and said notice shall be signed by each and every person so locating and all Quartz claims shall be recorded within ten days after location by notice.

ART IX Blank

ART X Work shall be duly performed when the Recorder has surveyed and certificate entered in the records. And the recorder shall receive the sum of one dollar as fee for every certificate he may issue on application.

ART XI All persons holding claims previous to the enacting of these laws shall be allowed thirty days in which to comply with the conditions set forth in them. And all claims not recorded as worked in compliance with these laws shall be considered abandoned and subject to re-location.

ART. XII. A Recorder shall be elected by the miners of this District, whose term of office shall continue four years or until his successor is elected, and in case of vacancy occuring, the miners of this District shall in regularly called meeting elect some competant person to fill the vacancy.

ART XIII The Recorder shall have the power to appoint a deputy during temporary absence, provided that such absence does not exceed four months, in which case the office shall be declared vacant, and all records after the expiration of that time shall be null and void.

ART. XIV. It shall be the duty of the Recorder when a copy of notice is filed for record to go upon the ground with the person locating, witness the posting of notice and if practicable to refer in recording the same to objects in land-marks indicating the position of the claim, so it may be easily recognized and his fees shall be one dollar for surveying and one dollar for recording.

ART. XV. The Recorder shall keep a book for the purpose of recording notices of claims, certificates of labor done on them. Transfers of mining property, minutes of miners meetings and all other matter usually recorded in a mining district and he shall act as Secretary in all regular meetings

ART. XVI. A notice signed by five persons and posted in three conspicuous places for at least eight days within said district seting forth as near as possible the object of the meeting shall render such meeting regular and legal and six persons shall constitute a quorum to transact business in such meeting.

ART. XVII. No Chinaman shall be allowed to hold mining property in this District and any person selling any mining property or in any way conveying the same to any Chinaman shall forfeit all mining property he or they may hold in the limits of this District, and in no case ever record or hold any mining property hereafter unless same may have been deeded to him or them from the U. S.

ART. XVIII. All previously existing laws and regulations in any way conflicting with the foregoing laws are hereby declared null and void.

ART. XIX. These laws shall be in full force from and after this date, May 17th 1879.

JOHN STOKES, *Recorder.*

REPORTER'S NOTE.—There are no records of any miners meetings. Each recorder seems to have destryed his books as he went out of office.

MONO COUNTY.—HOMER MINING DISTRICT.

PROCEEDINGS IN RELATION TO THE FORMATION OF THE DISTRICT AT MR LUNDYS HOUSE MILL CREEK MONO CO—HELD OCTOBER 9 1879.

LUNDY'S HOUSE,
Mill Creek, Oct 9th 1879.

In pursuance of a called meeting 61 Miners prospectors & mine owners met for the purpose of taking into consideration the formation of a new district & effecting a permanent organization of the same.

Mr Averill called the meeting to order, whereupon W. Darling was elected President & James Slack Secretary.

Mr Darling extended his thanks in a few pertinent remarks & stated that he was then ready to hear suggestions from the gentlemen present.

It was moved by G. W. Green jr that we now disorganize ourselves from the Tioga Mining Dist & form into a separate & distinct district to be known and called the Homer Mining Dis't,

The motion being duly seconded, it was placed before the meeting & carried by a unanimous vote.

It was moved by G. W. Green jr & duly seconded that we adopt the Revised Statutes of the "United States Mining Laws" passed May 10th 1872 for the future government of the Dist.—Carried by a unanimous vote.

It was moved by Robert Cameron & duly seconded that a committee of three be appointed by the chair whose duty it shall be to define the boundaries of the District. The following gentlemen were appointed by the chair to form said committee:—A. F. Hector, Jas McDonald, O. J. Lundy.

It was moved by E. F. Hector that a committee of three be appointed by the chair, whose duty it shall be to draw up a resolution relative to the reasons for dissolving our connection with the Tioga Mining District.

The above motion being duly seconded, it was carried by a unanimous vote.

The following gentlemen were appointed on said committee—G. W. Green jr, L. L. Homer, & R. A. Cameron.

On motion the meeting adjourned for ten minutes in order to give the above committees time to draw up reports & report to meeting.

On convening the Committee on Boundaries through their chairman made the following report, which upon being read was approved of & the committee discharged:

To the miners of Homer Mining District

GENTLEMEN—We the committee appointed to define the boundaries of your district would suggest that the dis't commence at one ¼ section corner, on the line between sections 15 & 16 in Township 2 North Range 25 East Mount Diablo Meridian running thence North to

Castle Peak district & thence West along Virginia Creek to the Westerly end of the Mono County line, thence South along the County line to the head of Levainen Creek & thence east along Levainen Creek to line of Section Post & thence north to the place of beginning.

Respectfully Submitted By the Committee.

Report of Committee on Resolutions—was then read & unanimously adopted.

Mr. Chairman & Gentlemen—Your committee appointed for the purpose of drafting a resolution setting forth the reasons we have of forming ourselves into a separate & distinct district & disorganizing ourselves from the Tioga, Jordan & Castle Peak Districts beg leave to submit the following resolution and ask your favorable opinion of the same—

Resolved that inasmuch as the Tioga Castle Peak & Jordan Dists are such a distance from us and as such being the case & as it would impose great hardship & trouble on those who during the general course of Mining Business would be obliged to go to the above named Mining Dist's & as we are desirous of having our business transacted within the boundaries as set forth by the com appointed for that purpose, we deem it expedient & advisable, for the benefit of the Miners Prospectors, Locators & Mine Owners in this immediate vicinity to dissolve our connections with the above named Dist's & form ourselves into a separate & distinct dist.

Respectfully submitted for the committee

By GEO W. GREEN Jr
Chairman

Motion made & seconded that the fees of the Dist Recorder be fixed at $5.00 for each location, to which an amendment was offered fixing the fees at $2.00 for each location & 50c for each mile travelled. The amendment was adopted.

Moved & seconded that the records of this District be permanently kept between the head of Wasson Lake & the head of Mill Creek Canyon—Carried.

Moved & seconded that the name of Wasson Lake be changed to "Lundy Lake." Carried.

Moved & seconded that all locations made heretofore in Castle Peak, Tioga & Jordan Districts be recorded in this Dist by the Dist Recorder upon presentation of certified copy of such Record duly certified to by the Recorder of such Dist where such location has been recorded, free of charge. Carried.

Moved & carried that the Dist Recorder place upon the records the proceedings of this meeting Oct 9th 1879 upon his books he shall also place the laws governing the dist.

WILKIE DARLING, *Presd'i.*
JAMES SLACK, *Sect'y.*

Homer Dist *Oct 9th* 1879.

Revised Statutes of the U. S. Mining Laws, passed May 10th 1872 & adopted at a meeting of the Miners of Homer Dist held Oct 9th 1879 for their future government.

Note.—A copy of the above is on file with the Records of the office.

Proceedings of a Meeting of the Miners of Homer Mining Dis't held Oct 1st 1880 *at Kilkendales Hall.*

W. O. Lundy called the meeting to order, whereupon Joseph Hanaver was elected presd't & J. T. Slack Secty.

It was moved by W. T. Havely & duly seconded that the by-laws of the last annual meeting & the boundaries of Homer Mining Dist be read to the Meeting—Carried.

It was moved by W. O. Lundy & duly seconded that the presd't now read the proceedings of the last annual meeting—Carried.

It was moved by Mr Travis & duly seconded that the Recorder be compelled to go on the ground to record a claim otherwise it shall not be valid—Carried.

It was moved & seconded that the article of $2.00 for recording & 50c a mile for traveling be stricken out & the Recorders fees be fixed at $5.00 for each claim visited & recorded—Carried.

YUBA COUNTY.—OREGON HILL MINING DISTRICT.

OREGON HILL QUARTZ MINING DISTRICT.

Art. I. This shall be called the Oregon Hill Quartz Mining District. The same shall be bounded as follows, commencing at Missouri Bar on the North Yuba River running thence due west to the summit of the ridge between the Indiana Ranch and Oregon Hill thence following the ridge to the New York House, thence the turnpike road to the Woodville House thence due east to the North Yuba River thence down the river to the place of beginning.

Art. II. There shall be a Recorder elected for one year or until his successor shall be elected and in case of death or resignation a special election shall be held to fill such vacancy by posting notices in three principal places in the district ten days previous to such election

Art. III. The Recorder shall keep the Laws and Regulations of the district and they shall at all times be accessable to any and every person seeking information from the same.

Art. IV. The Recorder shall keep a suitable Book or Books for Recording Claims and other transactions of the district.

Art. V. The Recorder shall receive one dollar for recording each claim and shall have the right to demand his fee before such Record is made

ART. VI. A valid claim on any Quartz Ledge in this district shall consist of the following acts, posting a notice on the ledge at the time of locating having the same recorded within twenty days after the date of the notice and by performing one days labor for each claim per month shall hold the claim valid for one year; the labor may all be performed at one time.

ART. VII. No claim or part of claims shall be held valid in this district by being Recorded in any other district.

ART. VIII. A claim in this district shall consist of two hundred feet in length and one hundred feet each side of the ledge.

ART. IX. No person shall hold but one claim on the same ledge by premption and the discoverer of a new ledge shall be entitled to two extra claims by right of discovery.

(On the margin:) The opposite of what was meant.

ART. X. These laws shall not be so construed as to conflict with any previous laws governing Creek, Hill or Placer diggins.

ART. XI. All laws governing this Quartz Mining District may be altered by a majority vote of the people of the district in convention assembled and when such change or changes are deemed necessary, There shall be posted up in three public places in the district at least twenty days previous to such convention setting forth the changes contemplated, and it shall be the duty of the Recorder to post the notice when called on by at least ten persons.

Not signed nor dated The first recording done under these laws according to the book in which they were found was on the 17th of February 1864.

SISKIYOU COUNTY.—UPPER YREKA CREEK MINING DISTRICT.

MINERS MEETING.

A Miners Meeting was held at the Court House on Saturday evening for the purpose of making laws regarding mining claims in Yreka Creek from the North end of John Weiffenbachs Ranch to the mouth of Greenhorn Creek, W. J Paul was chosen President and John Rule secretary. The following resolutions were adopted by the meeting:

Resolved, That the camp be called the Upper Yreka Creek.

Resolved, That 50 yards square be the amount of ground contained in one claim.

Resolved, That no grounds naturally drained by the Yreka creek Drainage company shall be worked without paying a reasonable remuneration to said Company for drainage.

Resolved, That each claim shall have one days work done in six, or the same shall be deemed jumpable when it can be worked, and each claim be deemed workable when drainage can be had for said Claims

Resolved, That the boundary of this camp shall be as follows: commencing at the north end of John Weiffenbach's ranch and terminating at the mouth of Greenhorn Creek.

Resolved That no Chinamen shall be allowed to work, or to hold any mining Ground in this mining camp or to work for any white man in it at mining

Resolved, That the County Recorder be chosen Recorder of this camp

Resolved, That the secretary make out a report of this meeting and furnish it to the journals of this city

Resolved That these resolutions be cut out of the newspapers with the notice of the meeting and be placed in the book of the recorder.

Meeting then adjourned

W. J. PAUL, *President.*

JOHN RULE, *Secretary.*

SIERRA COUNTY.—WET RAVINE MINING DISTRICT.

At a meeting of the miners held at Wet Ravine for the purpose of making Laws and Regulations Dr. W. E. Rust was called to the chair and John Williams secretary.

Resolved, That a committee of three be appointed to draft Laws and Regulations

On motion. Neal. McMillan. Thomas Waterman and D. E. Ogden were appointed as the Committee

On motion the Committee Report being read was unanimously adopted which was as follows:

1st. That this District shall be called the Wet Ravine District

2nd. Said District shall be bounded as follows Commencing in Wet Ravine at the Northerly boundary of French Ravine Mining District and running thence westerly on the Northerly line of said District to the summit of the dividing Ridge between Oregon Creek and Wet Ravine thence Northerly along the Summit of the same to the North side of the Tavern House on Fred's. Ranch thence East to the summit of the Ridge between Wet Ravine and Kanaka Creek thence Southerly along said summit to the Junction of Kanaka Creek and Wet Ravine thence northerly along Wet ravine to the place of beginning.

3rd. The size of a claim shall be 60 ft front in the Ravine thence into the Hill without limits

4th. Such claim or claims of a company shall be worked once in every 10 days, and any company after having expended $50 to the claim or each man's share may have the privilege of leaving his or their claims for the space of 3 months by posting notices of the same with the Recorder.

5th. There shall be a Recorder for the district and he shall be allowed 25 cents for recording each claim of 60 ft front

6th. Any man or woman may hold a claim in this District by Location and as many by purchase as they can show a *Bona fide* Title for.

7th. All claims must be Recorded or left for Record with the Recorder within 3 days after being taken up.

8th. Every person may hold claims in this District that the Laws of California allow to work in the mines.

9th. All disputes concerning Mining claims the owners or claimants are competent to settle as they may agree or by suit at Law as the Statutes of the State provide

10th. That all timber growing on the claims fit for mining purposes be held as part and parcel of the claim

On Motion Mr. John Williams was chosen Recorder.

On motion the meeting was adjourned Sine die

JOHN WILLIAMS *Secretary.*

NEVADA COUNTY.—GRASS VALLEY QUARTZ MINING DISTRICT.

QUARTZ MINING LAWS.

ARTICLE 1st. The jurisdiction of the following laws shall extend over all Quartz Mines, and Quartz Mining Property within the County of Nevada.

ART. 2nd. Each proprietor of a Quartz Claim shall hereafter be entitled to one hundred feet on a quartz ledge or vein; and the discoverer shall be allowed one hundred feet additional. Each claim shall include all the dips angles and variations of the vein.

ART. 3d. On the discovery of a vein of quartz three days shall be allowed to mark and stake off the same in such manner; by name of the owner and number, of the claim, or otherwise as shall properly and fully identify such claim. Parties having claims may cause a map or plan to be made, and a copy filed with the Recorder, if deemed requisite to more particularly fix the locality.

ART. 4th. Work to the extent of, one hundred dollars in value, or twenty days faithful labor, shall be performed by Each company holding claims, within thirty days from the date of recording the same, as provided for in Article 6th of these laws; and the duly authorized representative of a Company making oath that such money has been expended or that such labor has been performed, shall be entitled to a certificate from a county Recorder or deputy, guaranteeing undisputed possession of said claims for the term of one year; and for a like sum of money, or amount of labor expended or performed within twenty days, of each succeeding year duly acknowledged as herein named, shall entitle the claimants or company, from year to year, to further certificates of undisputed proprietorship and possession; and a company having a mill contracted for in good faith, to the amount of five thousand dollars for the working of its claim or claims guaranteeing to the claimants or company, their successors and assigns, undisputed possession and proprietorship forever under these laws, provided that nothing in this article, shall be at any time inconsistent with the laws of the United States.

ART. 5th. Whenever the requisite amount of money or labor as provided for in Article 4th has not been expended within thirty days from the adoption of these laws, the claim or claims thus neglected shall be considered abandoned, and subject to be re-located by any other party or parties

ART. 6th. Any person, a citizen of the United States, or any person having taken the necessary steps to become a citizen of the United States, shall be entitled to hold one quartz claim as provided for in art. 1st and as many more as may be purchased in good faith for a valuable consideration, for which certificates of proprietorship shall be issued by the County Recorder.

ART. 7th. The regularly County Recorder of Nevada County shall serve as Recorder of this County in quartz claims, authenticating his acts by the County Seal; he shall appoint as his Deputy such person for Grass Valley, as may be Elected by the District of Grass Valley; and he shall pass his Records to his successors.

ART. 8th. The fees of the Recorder and Deputy shall be the same as the Statute fees for recording per folio.

ART. 9. No title to a claim hereafter taken up or purchased shall be valid, unless, recorded in the Books of the aforesaid County Recorder within ten days of its location or purchase.

After the passage of the laws the convention adjourned *Sine die*

JOHN DAY.

A true copy:

——— ———,

Recorder for Grass Valley district.

(Pass'd Dec. 20th 1852 at Nevada, Cal.)

At a meeting of the Quartz Miners of Grass Valley held at the office of Capt. J. Conn on Saturday Jan 7th 1854, for the purpose of taking into consideration the Quartz Mining Laws as they now exist in Nevada County, W. C. Crossett was called to the Chair, and A. Delano appointed Secretary.

On Motion of Judge Walsh, it was

Resolved, That a committee of eight be appointed by the chair to meet on Monday at 11 o'clock a. m. to draw up resolutions, or to determine whether anything is necessary to be done at all.

The following Gentlemen were accordingly appointed: Walsh, Winchester, Delavan Southwick, Squire, Lamarque, Leaton and Day.

On motion the meeting adjourned till Wednesday Evening Jan 11 '54 at 7 o'clock p. m.

A. DELANO, *Sec.*

Report.

The Committee appointed at a Convention of Quartz Miners held at Grass Valley on the 7th inst, to consider the, propriety of, altering or revising the existing mining Laws, met on the 9th inst.

James Walsh was made Chairman of said Committee Said Committee recommend that no change be made in any of the Existing laws regulating the ownership of Quartz claims in Grass Valley District. They further recommend that the fee for Recording a Quartz claim, should be raised to fifty cents Each.

JAMES DELEVAN *Secy.*

At an adjourned meeting of the Convention of Quartz Miners held at Grass Valley on the 11th inst, the *above* report of the Committee appointed at the former meeting of said Convention was read and on motion duly seconded, and adopted.

There being no further business before the Convention it was adjourned Sine die.

G. R. MORRIS
Sec pro tem.

GRASS VALLEY *Jan 11th* 54

A true copy

JOHN DAY *Recorder.*

NEVADA COUNTY.—GOLD MOUNTAIN MINING DISTRICT.

LOCATIONS & TRANSFERS.

Gold Mountain Laws Passed December 30th 1850.

ARTICLE. 1st. These diggings shall be called Gold Mountain, and certificates of claims be headed accordingly

2d. Thirty by forty feet shall constitute a full claim

3d. A recorder shall be elected by the miners of Gold Mountain whose duty it shall be to number and record each claim when requested.

4th. Every claim when taken up shall be numbered, and the number of the claim with its date and the name of the owner must be placed upon record

5th. All persons can hold one claim by occupancy and any number by purchase.

6th. When a claim has been properly staked, numbered and recorded it can be held without tools being left upon it, or any work being done until the first day of April 1851 without interruption to the owner.

7th. When a claim shall change owners, a transfer of the same shall be placed up record

8th. To define the boundaries of a claim four stakes shall be driven upon it, one at each corner with a fifth in the centre which shall bear the number of the claim.

9th. The fee for recording a claim shall be one dollar, for a transfer fifty cents.

10th. All difficulties and suits arising out of claims trespasses &c shall be tried before the Recorder with two other miners, one chosen by each party. An appeal however may be had to the Justice of the Peace

11th. Any person who takes away or uses tools of another without permission of the owner, shall forfeit all his rights upon the mountain, if he has no interest, then he shall be made to pay twice the original value.

12th. Any one who throws dirt or rock upon the claim of another shall be made to remove it, or forfeit their right of claims on the mountain.

13th. Agreeably to the late law of Congress Foreigners, who have declared their intentions of becoming citizens can hold claims, none other except can hold claims.

Continuation from April to first of October 1851 the same as above—

ARTICLE 1st. All claims shall be recorded by or before the 10th of April 1851

The above was passed by the unanimous vote of the miners March 17th 1851

At a meeting of the miners of Gold Mountain, held this 29th day of September 1851 the following laws were passed.

ARTICLE 1st. That the present laws of Gold Mountain be extended to the first day of October 1852.

2d. That J. W. Fish be Recorder from this date 1st Oct. 1851

3. That all claims on Gold Mountain must be recorded by the 20th Oct 1851 on pain of forfeiture

4th. That every claim shall have a centre stake driven upon it, which shall be three and a half inches in width by one in thickness of the length of two feet and which must be driven at least one half of its length into the ground

5th. On application of any Miner it shall be the duty of the Recorder to rerecord for such miner any claim or claims which he may hold on this Mountain, and furnish him with a centre stake, bearing the number of the owner and his own name as Recorder.

ARTICLE 6th. That the fee of the Recorder for re-recording any claim shall be fifty cents and fifty cents additional when he furnishes stakes.

J W. FISH *Recorder.*

At a meeting of the Miners of Gold Mountain held this 5th day of October, it was

Resolved, That the foregoing laws in so far as they relate to Recording and Restaking of claims, passed on the 29th of Sept 1851 be repealed.

J W FISH *Recorder*

At a meeting of Gold Hill Claimants held pursuant to notice, at Messrs Crossetts & Scott's office Sept 29, 1852, Harrison Scott was called to the chair, and J. C Wilson appointed sec'y.

On motion it was

Resolved, that the laws now in existence with regard to claims on Gold Hill be extended to the first day of January 1854.

H. SCOTT *Chairman*

J. C. WILSON, *Sec'y.*

At a meeting of the claim holders on Gold Mountain held at the office of the Gold Hill Quartz Mining Company this day there were present John Judd, representing himself, I. N. Cummings representing W. C. Crossett, G. W. Sheridan representing Tho's Glen & Co, James Delevan representing himself, and the New Helvetia Qrts Mi Co., C. S. Sceptor representing himself and the Rocky Bar Mining Co, St George Scarlett representing himself and James Walsh representing the Gold Hill Qt. Mi. Co, Company & himself.

On motion of G. M. Sheridan and seconded by J. Judd, James Walsh was appointed chairman & Secretary of the meeting.

On motion of John Judd & seconded by J. W. Cummins it was

Resolved, That the present Laws governing Mountain be Extended to the first day of January 1860, and that the Recorder of Grass Valley district be requested to make the proper entry of the proceedings of this meeting on his books.

Resolved, that the proceedings of this meeting be signed by the parties present.

Resolved, that this meeting do now adjourn.

(Signed) James Walsh chairman & sec, James Delevan, G. W. Sheridan for Thos Glen & Co, John Judd I. W. Cummings for W. C. Crossett, Charles S. Layton agen R. B. M. Co. St George Scarlett.

Dec 15th 1853. I certify the above to be a true copy of the proceedings of said meeting.

JOHN DAY *Recorder.*

NEVADA COUNTY.—UNION QUARTZ MOUNTAIN MINING DISTRICT.

At a meeting of the miners of Union Quartz Mountain, held this 30th day of February 1851 G. W. Woodworth was called to the chair, and Wm. B. Cave appointed Secretary.

On Motion of Dr Monson the following Rules and Regulations were unanimously adopted.

ART. 1st. These diggings shall be known and called as the Union Quartz Mountain certificates of claims be headed accordingly.

ART. 2nd. Thirty by forty feet shall be and constitute a full claim.

3d. A Recorder shall be elected by the Union Quartz Mountain whose duty it shall be to number and record each claim when requested.

4th. Every claim when taken up shall be numbered and the number of the claim with the date and name of the owner must be placed upon the record.

5th. Any person can hold one claim by occupancy and any number by purchase.

6th. When a claim has been properly staked numbered and recorded it can be held without tools being left upon it, until the first day of June 1851 without interruption to the owner

7th. To define the boundaries of a claim, four stakes shall be driven one at each corner, with a fifth one which shall bear the number of the claim and stand near the centre.

8th. The fee for Recording shall be one dollar for transferring fifty cents.

9th. When a claim shall change owners a transfer shall be placed on Record

10th. All difficulties and suits arising out of claims trespass &c shall be tried before the Recorder with two miners one chosen by each party an appeal may be had to the Justice of the Peace

11th. Any person who shall take away tools, or use those of another without permission from the owner shall forfeit all his right upon the Diggings if he has no right, he shall be made to pay twice their value.

12th. Any person who shall throw dirt or rock upon the claim of another, shall be made to remove the same, or forfeit their right of claim.

13th. Agreeably to the late act of Congress Foreigners who have declared their intentions to become citizens, are entitled to hold claims, no others, except citizens are entitled to hold claims.

14th. We the Miners of Union Quartz Mountain agree to abide by and sustain the By Laws sustained in the foregoing articles

UNION QUARTZ MOUNTAIN *Jan'y* 30th 1851.

On Motion of W. C. Monson Mr. A. Burman was Elected Recorder agreeably to 3d article of the foregoing resolutions

On motion it was unanimously decided that the foregoing resolutions should also be posted in some conspicuous place on the above named Mountain for inspection by the public.

Upon motion it was decided that we do now adjourn.

G. W. WOODWORTH *Pres.*

W. B. CAVE *Secy.*

UNION QUARTZ MOUNTAIN. *May* 24th 1851

At a meeting of the miners of Union Quartz Mountain A. Clark was called to the chair, and W. C. Monson was appointed Secretary.

When upon motion of Mr. Patton the Boundary of claims was Extended to one hundred feet square.

Also resolved, that the Rules & Regulations of this Mountain shall be continued in force.

Also further Resolved, that those holding claims shall have an extension of time until the first of September 1851 by having them Re-Recorded by the tenth day of June next

Also A Burman was by unanimous vote continued in office as Recorder

A. CLARK *Pres.*

W. C. MONSON *Secy.*

UNION QUARTZ MOUNTAIN *Sept* 1 1851.

At a meeting of miners of said hill this day David Brooks was unanimously elected recorder in place of A. Burman gone to the States.

The following resolutions were also passed at said meeting:

1st. That an extension of ten days time from this date be allowed for Re-Recording, claims and that all claims not registered by that time shall be considered forfeited.

2d. That the time for working claims on said hill, be extended to the 1st day of April 1852.

3d. That no charge shall be made for Re-Recording claims,

Upon Motion the meeting adjourned,

R. T. HUDDART, *Chairman*

UNION QUARTZ MOUNTAIN, *April* 1st 1852.

At a Meeting of miners holding claims on said mountain P. Hays was Elected President and D. C. Jollison sec. It was Voted—

1st. To allow, until the first Saturday in Sept. next for Re-Recording and working claims.

2d. That all claims shall be forfeited, that are not Re-Recorded within ten days from this date.

3d. That the Pres. and Sec. sign the proceedings of this meeting

4th. Voted to adjourn until the first Saturday in Sept 1852.

PUTNAM HAYS *Pres*

D. C. JOLLISON *Sec*

UNION QUARTZ MOUNTAIN, *Saturday Sep 4th* 1852.

At the regular meeting of the miners holding claims on said mountain, Wm. S. McMurtry was duely Elected President & G. W. Woodworth sec.

The following resolutions were passed:

1st. That all claims shall be Re-Recorded within one week from date or be forfeited

2d. All claims being Re-Recorded within one week shall hold good without working until the next regular meeting Saturday April 2d 1853.

3d. That all claims taken up after this date shall include 100 feet in length on the Ledge with all its dips and angles, so far as they do not interfere with claims holding good of a prior date.

On Resignation of David Brooks Recorder G. W. Woodworth was duly Elected to fill vacancy

On motion of Mr Brooks the meeting adjourned to meet the first Saturday in April 1853

W. C. McMURTRY *Prest.*

G. W. WOODWORTH *Sec.*

UNION MOUNTAIN *April* 2 1853.

In pursuance to adjournment, Meeting of the Miners holding claims on said Mountain was called to order & D. Brooks appointed chairman & G. W. secretary.

Minutes of the last meeting were read and accepted.

1st. *Resolved*, that all claims shall be Re-Recorded within ten days from date or the same shall be forfeited Carried

2d. *Resolved*, that the time for working claims be extended to A. D. one thousand eight hundred and sixty (1860) first Saturday in April of said year.

3d. *Resolved*, That the present Recorder of Union Mountain be requested to transfer the Records of claims on said Mountain to the Township Recorder within one month from the date hereof

Motion was made and seconded that the meeting adjourn *Sine die*

G. W. WOODWORTH *Sec.*

NEVADA COUNTY.—KENTUCKY HILL MINING DISTRICT.

RULES AND REGULATIONS OF KENTUCKY HILL.

ARTICLE 1st. This Hill shall be called Kentucky Hill.

ART. 2d. A, Recorder shall be chosen whose duty it shall be to keep a correct list, of the names and number of each claim, the Recorder shall receive fifty cents for registering each claim and fifty cents for every transfer made

ART. 3d. Sixty feet square shall constitute a claim. Each miner shall be entitled to one claim by occupancy and to any number by purchase.

4th. Each claim shall have five stakes upon it, one at each corner and the fifth in the centre with the name of the owner and number, and no claim will be considered valid until thus staked and recorded.

5th. When a claim is transfer'd by sale or otherwise, the owner must give immediate notice of it to the Recorder, and have it transferd on his books

6th. Any person taking any tools from the Hill, without the consent of the owner, throwing dirt upon any claim or in any manner disturbing the Quartz of any miner shall forfeit his interest on the Hill (if a Miner) if not be prosecuted by the proper authorities.

7th. Any dispute or difference that may arise between miners shall be refered to a committee of three one chosen by each party the Recorder shall be the third person.

8th. A claim properly staked and Registered need not be worked, nor tools left upon it until the first day of August next.

Renewed until Jany 1st 1852.

MAY 1st 1851

True copy

JOHN DAY *Recorder.*

NEVADA COUNTY.—PROSPECT HILL MINING DISTRICT.

RULES AND REGULATIONS OF PROSPECT HILL.

ARTICLE 1st. This Hill shall be called Prospect Hill.

2d. A Recorder shall be chosen whose duty it shall be to keep a correct list of the names and numbers of each claim, the Recorder shall receive one dollar for registering each claim and fifty cents when a transfer is made.

3rd. Sixty feet square shall constitute a claim Each miner shall be entitled to one claim by occupancy and any number by purchase.

4th. Each claim shall have five stakes upon it, one at each corner and the fifth in the centre, with the name and number of the owner, and no claim shall be considered valid until thus staked and registered.

5th. When a claim is transfer'd by sale or otherwise, the owner must immediately give notice of it to the Recorder and have it transfered on his books.

6th. Any person taking tools away from the Hill without the consent of the owner, throwing dirt on any claim, or in any way or manner disturbing the Quartz of any Miner shall forfeit his interest on the Hill if a miner, if not he shall be prosecuted by the civil authorities.

7th. Any dispute that may arise between miners shall be refer'd to a committee of three one chosen by Each party and the Recorder the third.

8th. A claim properly staked and registered need not be worked nor tools left upon it until the first day of August 1851

May 1st 1851

M. E. AUSTIN *Recorder*

At a meeting of the claimants on Prospect Hill held at Richardson's Mill on the 29th July it was unanimously

Resolved, that the time for working claims should be deferred until the first day of January next

29th July 1851.

M E AUSTIN *Recorder*

GRASS VALLEY, 17*th Sept.* 185 .

I have this day appointed James Delevan Recorder of Prospect Hill as I have removed from this place

MARCUS E AUSTIN.

GRASS VALLEY *Feby 25th* 1852.

I hereby appoint J. W. Fish Recorder of Prospect Hill as my successor

JAMES DELEVAN

NEVADA COUNTY.—SAUNDERS LEDGE MINING DISTRICT.

SAUNDERS LEDGE LAWS.

At a meeting of the claimants on this Hill the following laws were adopted for the government of this Ledge.

ART. 1st. This Ledge shall be called Saunders Ledge.

ART. 2d. A Recorder shall be chosen whose duty it shall be to keep a Record of the claims, with the name and number of the same. He shall receive one dollar for Recording and fifty cents for transferring claims.

ART. 3d. One hundred feet on the Ledge with the dips and angles shall constitute a claim. Each member shall be entitled to one claim by occupancy & any number by purchase

ART. 4th. Each claim shall have a stake in the centre with the number & name of the owner thereon

ART. 5th. When a claim is transfer'd by sale or otherwise, the owner must give immediate notice to the Recorder and have it transfer'd on his books

ART. 6th. Any difficulty that may arise on this ledge between claimants relative to claims shall be refer'ed to three arbiters, one to be chosen by each party, the Recorder to act as umpire.

ART. 7th. A claim properly staked and recorded shall hold good without any work being done on it till the first day of Jan'y 1852.

June 6th 1851

W. J. SAUNDERS *Recorder*

A true copy

JOHN DAY *Recorder*

NEVADA COUNTY.—DAY'S LEDGE MINING DISTRICT.

BY LAWS.

ART. 1st. Claims shall be Fifty feet along the course of the Ledge, with its dips, breadths, and angles.

2d. One stake in the centre of each claim, with the holders name and Recorders number

3d. Fee for Recording one dollar, transfer fifty cents.

4th. The above rules having been complied with, claims will be held good untill the first day of May 1852.

JOHN DAY *Recorder*

CENTREVILLE GRASS VALLEY *Oct.* 21 1851.

At a meeting of the claimants on "Day's Ledge" the laws are hereby renewed and Extended until the first day of January 1853.

JOHN DAY *Recorder*

CENTREVILLE GRASS VALLEY *April 26th* 1852.

At a meeting of claimants on "Days Ledge" the Laws are hereby Extended until the first day of January 1854.

JOHN DAY *Township Recorder*

GRASS VALLEY *Dec 10th* 1852.

The laws for working claims on "Days Ledge" are hereby Extended till 1860

JOHN DAY *Recorder*

GRASS VALLEY *Dec. 28th* 1853

NEVADA COUNTY.—LAFAYETTE HILL MINING DISTRICT.

MINUTES OF THE PROCEEDINGS OF THE MINERS OWNING CLAIMS ON LAFAYETTE HILL.

At a meeting held on said Hill on Monday the tenth day of November 1851 pursuant to a notice calling said meeting

1st. *Proposed seconded and Resolved*, that T. S. Thompson be called upon and requested to preside at the meeting

2d. *Proposed seconded and Resolved*, that Geo. A. Montgomery be requested to act as Secretary.

3d. *Proposed seconded and Resolved*, that each claim on this Hill be Eighty wide on the Ledge and that each claim shall be designated by two stakes so placed as to show the width or side boundaries of each claim that there shall be no boundaries as to the length of claims, that each person may follow the ledge found on his claim, with all its dips depths and angles, so that he does not interfere with claim or claims that may be next to his side boundaries each claim to have a third stake placed between the other two with the initials of the owner, and the number of the claim cut or marked thereon.

4th. *Proposed seconded and Resolved*, that Henrie Lavanche the discoverer, be entitled to two claims.

5th. *Proposed seconded and resolved*, that a Recorder be appointed for Lafayette Hill who shall keep a book in which he shall enter from time to time, as persons may desire the name of the person having a claim on the hill and the number of their claim, and that any person owning a claim, when he sells the same shall give to the purchaser a bill of sale, duely witness'd, and the Recorder upon production of said bill of sale shall make an entry of such transfer, no sale to be considered valid and complete until entered in the Recorder's books, the Recorder shall be entitled to one dollar for the original Entry and fifty cents for the transfer

6th. *Proposed seconded and Resolved*, that persons holding claims on Lafayette Hill, and having the same duely Recorded shall be entitled to hold the same until the first day of July next without doing work or leaving tools thereon.

7th. *Proposed, seconded and Resolved* that Geo. A Montgomery be chosen and appointed Recorder of Lafayette Hill.

8th. *Proposed, seconded and Resolved*, that a copy of these laws be made by the Recorder and placed in a conspicuous place on the Hill

THEO. L THOMPSON

Attest:

GEO. A. MONTGOMERY.

Transferd to the Township Recorder June 5th 1852

JOHN DAY *T. R.*

At a meeting of Claim Holders on Lafayette Hill held this second (2d) day of July 1852, Geo. A. Montgomery was called to preside.

Proposed, Seconded, and resolved, that the persons complying with the following resolutions shall be entitled to hold their claims without working, for one year from expiration of the late laws.

Proposed, seconded and resolved, that all claims on Lafayette Hill must be re-recorded on or before the tenth day of July or they will be forfeited

Proposed, seconded and Resolved, that the Helvetia tunnel and Quartz Mining Company do not work any ground outside of the circle contained within the blazed trees, showing the bounds of said Companys ground on Lafayette Hill.

Proposed, seconded and Resolved, that the above resolutions be handed into the General Recorder and that he be requested to transcribe them into his books, and that a copy be posted on this Hill.

GEO A. MONTGOMERY *Chairman.*

Receiv'd and enter'd this second (2d) day of July 1852.

JOHN DAY *Township Recorder.*

According to notice of John Day Dep. Co. Recorder Nevada Co, A meeting was held on Layfayette Hill this 6th day of July 1853

C. Conway was chosen Chairman B L Lamarque Secretary.

Motion was made by N Navariene, and carried, that the claims on Lafayette Hill will hereafter be governed by the Quartz Mining Laws of Nevada County, as passed by the Convention held in Nevada City Dec 20th 1852.

Motion was made by A Navarriene that the meeting adjourn Sine Die, carried,

B. L. LAMARQUE *Sec.*

GRASS VALLEY *July* 6, 1853,

NEVADA COUNTY.—INDIAN SPRINGS HILL MINING DISTRICT.

LOCATIONS AND TRANSFERS.

Laws.

ARTICLE 1. A Recorder shall be appointed whose duty it shall be to keep a record of all claims taken on the Hill.

2. Any person taking a claim on this Hill shall be entitled to eighty feet square (80 ft) on which there must be one stake at each corner and one stake in the centre, with the owners name and number

3d. Every person taking a claim on this Hill must have the same duly recorded for which the Recorder shall be entitled to one dollar.

4th. Any person may be entitled to one claim by occupancy and no more but he may hold as many more as he may purchase.

5th. Any claim sold or transfered must be Entered on the books of the Recorder, and for which the Recorder shall be entitled to fifty cents.

6. All claims taken on this Hill according to the above rules and regulations may be held until the first day of August 1852 without labor or tools thereon.

GRASS VALLEY 17th Nov 1851

JAMES A GLYNNE *Recorder*

In the absence of the above, S. Sanborn is Recorder

Transfer'd to me Township Recorder this 8th day of June 1852.

JOHN DAY *T. R.*

At a meeting of the miners on said Hill the laws were amended so as to give to Each claimant one hundred feet square, also Extending the laws till the first day of January 1853. All claims will be held good until that time without work being done on them.

C. K. HOLATING *Chairman*

At a meeting of the miners of Indian Spring Hill held on the first day of August 1853, it was unanimously
Resolved, That the laws of said Hill should be extended and remain in full force until the first day of August 1857
GRASS VALLEY Aug. 1st 1853.

NEVADA COUNTY.—JEFFERSON HILL NO. 1 MINING DISTRICT.

LAWS.

ARTICLE 1st. A Recorder shall be appointed whose duty it shall be to keep a record of all the claims taken on the Hill.

ART. 2d. Any person taking a claim on this Hill shall be entitled to Eighty feet square, on which there must be one stake at each corner and one stake in the centre with the owners name and number thereon.

ART. 3d. Every person taking a claim on this Hill must have the same duly Recorded for which the Recorder shall be entitled to one dollar.

ART. 4. No person shall be entitled to more than one claim by occupancy, but he may hold as many as he can purchase

ART. 5. Any claim sold or transfer'd must be so entered on the Books of the Recorder, and for which the Recorder shall be entitled to fifty cents.

ART. 6. All claims taken on this hill according to the above rules and regulations, may be held until the first day of May 1852, without labor or tools thereon.

H. I. MILLER *Recorder.*

GRASS VALLEY *Dec* 16th 1851.

At a meeting of the claim holders of the above named Hill held on the first day of May last, it was
Resolved to Extend the time of holding claims on Jefferson Hill until the first day of January 1853.

H. I. MILLER *Pres.*

JOHN I. MONETE *Sec.*

Notice.

At a meeting held pursuant to a call by the claim holders on Jefferson Hill, it was unanimously
Resolv'd, to extend the Laws rules and Regulations of said hill for one year from the first day of January 1853.

H. I. MILLR, *Pres.*

I. WINCHESTER *Sec.*
GRASS VALLEY *Jan'y* 1, 1853.

At a meeting of the miners of Jefferson Hill held on the first day of Jan'y 1854 it was unanimously
Resolved : that the Laws of said Hill should be Extended and remain in full force until the first day of January 1857.
GRASS VALLEY *Jan.* 1st 1854

NEVADA COUNTY.—MARY'S DIGGINGS MINING DISTRICT.

At a meeting of the Claim Holders of Mary's Diggings held at the house of James Walsh esqr Grass Valley Dec 31st 1851 T Wheeler was elected chairman and Joseph Woodworth was elected secretary

Whereupon Mr Lamarque moved and Mr Cronk Seconded that the laws of Gold Hill should be adopted, except that claims on Mary's Diggings should be sixty square

It was also moved by Dr Miller and seconded by Mr Cronk that the laws of Mary's Diggings be extended to the first day of January 1853.

It was also moved by Mr Cronk and seconded by Dr Miller that all claims shall be Re-recorded free of charge on or before the 20 day of Jan'y next in order to make them valid.

It was also moved by Dr Miller and seconded by Mr Lamarque that Jas. Woodworth be elected Recorder.

It was then moved by Mr Cronk and seconded by Dr Miller that this meeting adjourn *sine die.*

Signed by the chairman

L. WHEELER

Notice.

At a meeting of the claim holders on Mary's Diggings held this 31st day of December 1852, it was
Resolved, that the present laws of said Hill be extended to the first day of Jan'y 1854
The Laws for working claims on Mary's Diggings are hereby Extended till 1860

W. C. CROSSETT *Chairman*

GRASS VALLEY Dec 28th 1853

JOHN DAY *Recorder.*

NEVADA COUNTY.—REBECCA'S HILL MINING DISTRICT.

ARTICLE 1st. Claims on this Hill shall be one hundred feet along the course of the ledge with the dip breadth and angles.
2nd. One stake in the centre of each claim with the holders name and recorder's number.
3d. Fee for recording transfer fifty cents.
4th. The above rules having been complied with, claims will be held good until the first day of Jan'y 1853.

GRASS VALLEY, Jany 3d 1852.

Transfered to the book of the Township Recorder this Eighteenth day of June 1852.

JOHN DAY, *T. R.*

At a meeting of claimants the laws of Rebecca's Hill, are hereby Extended until the first day of January 1854.

JOHN DAY *Township Recorder.*

GRASS VALLEY, *Dec* 10th, 1852.

The laws for working claims on Rebecca's Hill are hereby extended till 1860

JOHN DAY *Recorder*

GRASS VALLEY, *Dec* 28th 1853.

NEVADA COUNTY.—WEEHAWKEN HILL MINING DISTRICT.

RULES AND REGULATIONS.

ART. 1st. This Hill shall be called by the name of Weehawken Hill.

2nd. One hundred feet on the Ledge or vein together with all dips and angles shall constitute a claim, no claim shall be valid until duely recorded in a Book kept for that purpose by the Recorder of claims for the Township of Grass Valley & staked as provided in article fourth which stake shall have upon it the number of the claim

3rd. Any person entitled to hold a mining claim may hold one by location on this Hill, and as many more as he may purchase in absolute right, subject to the laws and regulations governing the same

4th. Each claim shall have a stake upon it as near the centre as possible, upon which shall be written or marked the number of the claim as provided in the last clause of article 2nd.

5th. When a claim is transferred by sale or otherwise the same shall be noted upon the Book of the Recorder of Claims for the Township of Grass Valley and it shall be the duty of the owner to give notice accordingly to the Recorder.

6th. Any person being the holder of a claim or claims on this Hill who shall commit a trespass by the removal of stakes or otherwise on the claim or claims of any other person shall forfeit all his rights on the Hill, but no one shall be deprived of his rights unless Judgment be rendered against him on due evidence as provided in the section and it shall be competent for a party to appeal to a Justice of the Peace.

7th. All disputes between claimants on this Hill with regard to claims and all cases of trespass, shall be referred to three arbitrators two of whom shall be practical miners one to be named by Each party and the Recorder shall be the third.

8th. That all holders of claims on this Hill may have reasonable time to prepare for properly working the same it shall not be necessary that work be done until January the first 1853 but thereafter work shall be done by Each owner of one or more claims as often as once in sixty days, unless prevented by sickness or the weather.

9th. All claims properly staked and recorded as provided in these regulations shall be held without its being necessary to place tools thereon But work done by a Company upon one claim shall prevent forfeiture of any.

Dated June 16th 1852.

A true copy of the original entered this seventeenth day of June 1852.

JOHN DAY *T Recorder*

J. WINCHESTER, *Pres't.*
P. W. W. SMITH, *Secy.*

NEVADA COUNTY.—ROCKWELL HILL MINING DISTRICT.

LAWS.

We the undersigned Claim Holders on this Hill subscribe to the following laws by which our claims on this Hill are to be governed.

1st. This hill shall be named and known as Rockwell Hill.

2d. No person shall hold more than one claim by location.

3d. No claim shall exceed one hundred feet square.

4th. Every claim not registered in the books of the Recorder within ten days after being taken up shall be liable to jump'd.

5th. All transfers shall be registered in the Books of the recorder.

6th. Each claim shall be worked at least one day during a period of at least sixty consecutive days, or otherwise be liable to be jumped Except a Company or Individual holding two or more claims, in which case it will be sufficient for said Company or individual to work one of their claims one day in each sixty consecutive days, but in case of sickness or being prevented from working said claim or claims by too much water, said claim or claims shall not be liable to be jump'd provided the same may be proved by at least one witness before the District Recorder

Signed by John Parker, Hughes, E. E. Cheeney Alexander Elder, A. H. Otis G. M. Sheridan John Hughes, G. C Jewell, J. P. Stone I. Slaght.

The foregoing laws of Rockwell Hill are a true copy of the Original taken this 17th day of June 1852.

JOHN DAY *District Recorder*

NEVADA COUNTY.—BROOKLYN HILL MINING DISTRICT.

LAWS.

ART. 1st. This hill shall be known as Brooklyn Hill.

2nd. One hundred feet along the ledge with all dips, depths and angles, shall constitute a claim.

3rd. All claims can be held for one year from the date of these laws without work being done on them, say to the 22d June, 1832.

4th. Any person can hold one claim by location, and any number by purchase.
5th. Claims must have a centre stake, with number of claim & name of owner thereon.
6th. There must be a Recorder chosen whose duty it shall be to Record claims when requested.

The above laws were passed at a meeting of Miners of Brooklyn Hill this twenty-second (22d) June 1852. Received the second (2d) day of July 1852 the above Laws of Brooklyn Hill at 10½ o'clock a. m.

JOHN DAY *Township Recorder*

NEVADA COUNTY.—NEBOLD HILL MINING DISTRICT.

RULES AND REGULATIONS.

ART. 1st. That this Hill shall be called Nebold Hill.
2nd. *Resolved*, that each claim shall be one hundred feet on the ledge with all the dips and angles.
3rd. *Resolved*, that the claims shall be designated by one stake with the name of the Company or persons holding claims on this Hill.
4th. *Resolved*, that P. I. Mahoney, Wm. Hagneon, D. L. Luddington, I. I. Ball, F. H. Ball, W. W. Ball, P. Slick, A. L. Hamilton shall be entitled to hold two claims each, as being the first discoverers of this Hill.
5th. *Resolved*, that the above names shall be entered on the Recorders book as a company and that the company be known as the Buffalo Mining Company.
6th. *Resolved*, that no claim shall be forfeited on account of work not being done until one year from this date.
7th. *Resolved*, that the above rules and regulations be recorded in the Town of Grass Valley, in the Township Recorder's office.

A true copy. July 2d 1852 9 o'clock 30 m a. m.

JOHN DAY *Township Recorder.*

Dated JUNE 22, 1852.

NEVADA COUNTY.—MOUNT OLIVET MINING DISTRICT.

REGULATIONS.

At a meeting of claimants of said Mount held June 25th '52 the following rules and regulations were agreed to.

ART. 1st. That this Hill be known by the name of Mount Olivet.
2d. That one hundred feet square with the dips and angles to be considered a claim on said Hill.
3d. That each man be entitled to locate a claim of 100 feet square by staking with a centre stake with the number of said claim.
4th. Each and every claim shall be recorded in the Township Recorders book with the owners name and number of said claim.
5th. Any man may hold by purchase any number of claims on said Hill, if said claims are found Recorded in the Town Records.
6th. Any person purchasing claims as above specified shall have the transfer recorded on the Town records.
7th. Any man locating and recording a claim, or purchasing any number of claims, shall be allowed to hold the same for six months from the Recording the same without working them.
8th. If any difficulty in regard to the bounds of claims on said Hill shall arise, the same shall be referred to three men to be chosen from the owners of claims on said Hill one to be chosen by Each party, the other by the two chosen
9th. Any person removing or pulling up stakes on said Hill, shall be subject to the penalty on the slide for the same offence.

Signed June 25, 1852.

JOHN BROWN *Chairman*

AN'D COLE *Sec'y.*

The Mount Olivet Mining Company's Claims commencing on the Southeast corner at Stake No. 1, it being fifty feet north of Stake No. 597 on the slides, running from Stake No. 1, 600 feet northerly to a stake No. 6, thence turning and running Easterly 500 feet to Stake No. 25, thence turning and running southerly 200 feet, then turning and running westerly 400 feet then turning and running southerly 200 feet thence turning and running westerly 200 feet to the first starting point, being staked by centre stakes and numbered from 1 to 26 being twenty six of 100 feet square.

JOHN BROWN *Pres't*

GRASS VALLEY *June* 26, 1852.

NEVADA COUNTY.—UNION HILL NO. 2 MINING DISTRICT.

Be it known that we the undersigned have this day formed ourselves into a company to be called the Union Quartz Mining Company and have located twenty claims of one hundred feet square each on Union Hill, staked and Recorded at the office of record Grass Valley

Claims commencing at the south and west corner, at a stake marked "Union" then running northerly four hundred feet to a stake marked "Union" N, then running East five hundred feet to a stake marked "Union" E, then running south five hundred feet to a stake marked "Union" S, then running west five hundred feet to the first mentioned stake being twenty claims of one hundred feet square.

REGULATIONS.

At a meeting of the claimants on Union Hill Grass Valley on the 25th June the following rules and regulations were agreed to for the Government of said Hill.

ART. 1st. The name of said Hill to be Union Hill.
2d. That one hundred feet square be allowed for Each Claim on said Hill.

3d. That no man shall locate and hold more than one claim on said in his own name.
4th. That all claims on said Hill shall be recorded in the Town Records within forty eight hours after locating
5th. All claims shall be staked with a centre stake with the number thereon.
6th. Any man may hold one or more claims by purchase if said claims shall have been recorded in the town Records
7th. All claims upon said shall be worked upon or before the first day of December next.
8th. Any man pulling up or removing stakes on said Hill, upon conviction of the same, shall forfeit his claims on said Hill, if any and if not a claimant, shall be punished a agreeably to the laws of Grass Valley for such offence.

JOHN BOUNE *Chairman.*

CHARLES BROWN *Sec'y*

GRASS VALLEY June 25th 1852.

NEVADA COUNTY.—BUFFALO HILL MINING DISTRICT.

LAWS.

ART. 1st. A Recorder shall be chosen whose duty it shall be to keep a correct Record of all claims, for which he shall receive one dollar and fifty cents for every transsfer made.
2d. One hundred feet along the ledge including all its dips and angles shall constitute a claim. Each claimant shall be entitled to one claim by occupancy and any number by purchace
3rd. Each claim shall have at least five stakes upon it, one at each corner and the fifth in or near the centre with the name of the claimant and the number thereof.
4th. Every transfer must be made known to the Recorder, and the same transfered upon his Book.
5th. Claims properly recorded and staked shall be valid without work being done, or tools upon it until July 1st 1852.

WILLIAM ALLEN *Recorder.*

Transfered to the Book of the Township Recorder this fifteenth day of June 1852.

JOHN DAY *T. R.*

At a meeting of the claimants on Buffalo Hill, held this 28th day of June 1852, the above laws were Extended until the first day of January 1853.

JOHN DAY *Township Recorder.*

NEVADA COUNTY.—CALEDONIA HILL MINING DISTRICT.

LOCATIONS.

CALEDONIA HILL LAWS.

ARTICLE 1st. This Hill shall be called by the name of Caladonia Hill.
2nd. One hundred feet square on this Hill together with all the dips and and angles on the Run of the Ledge shall constitute a claim. No claim shall be valid untill duly Recorded, in a Book kept for that purpose, by the Recorder of Quartz claims for the Township of Grass Valley, and staked as provided in the article fifth (5th) which stake shall have upon it the number of the claim.
3rd. Any person entitled to hold a mining claim, may hold one by location, on this Hill, and as many as he may purchase in absolute right, subject to the laws and regulations governing the same.
4th. Each claim shall have a stake upon it as near the centre as possible upon which shall be written the number of the claim as provided in article 2nd.
5th. When a claim is transferred by sale or otherwise, the same shall be noted upon the Book of the aforesaid Recorder as in Article 2nd, and it shall be the duty of the owner, to give notice accordingly to the Recorder.
6th. Any person being the holder of a claim, or claims on this Hill, who shall commit a trespass by the removal of stakes, or otherwise on the claim or claims of any other person, shall forfeit all his rights on the Hill, but no one shall be deprived of his right unless Judgment be rendered against him, on due evidence as provided in the next section, and it shall be competent for the party to appeal to a Justice of the Peace.
7th. All disputes between claimants on this Hill, with regard to their several claims, and all cases of trespass, shall be referred to three arbitrators, two of whom shall be practical miners, one to be named by Each party, the third shall be the Recorder.
8th. That the holders on this may have reasonable time, to prepare for properly working the same, it shall not be necessary that work be done, until the 1st day of March 1853, but thereafter work shall be performed by each owner of one or more claims, as often as once in every sixty days unless prevented by sickness or the weather.
9th. All claims properly staked and Recorded, as provided in these regulations, shall be held without its being necessary to place tools thereon, but work done by a company upon one claim shall prevent forfeiture of any.

Dated June 29th 1852.

J. H. WOODBURY *Pres't.*

P. V. N. SMITH, *Sec'y*

Entered this 30th day of June 1852.

JOHN DAY *T. R.*

NEVADA COUNTY.—PECKER'S HILL MINING DISTRICT.

LOCATIONS.

RULES AND REGULATIONS.

ART. 1st. This Hill shall be known as Pecker's Hill.
ART. 2nd. One hundred feet along the Ledge with all its dips and angles constitute claim.
ART. 3d. All claims can be held for one year from this date without work being done on them.

ART. 4th. Any person can hold one claim by location, and any number by purchase

ART. 5th. Claims must have a centre stake with the name thereon and the number of said claim

The above laws were passed at a meeting of the miners of Peckers Hill this twenty-ninth day of June (29th) 1852

E. F. MORSE *Presd't*

GEORGE HALE *Secy.*

NEVADA COUNTY.—POPPYSQUASH HILL MINING DISTRICT.

LOCATION, JULY 2, 1852.

At a meeting of the company held on this Hill June 30th 1852, the following resolutions were adopted

1st. That this hill shall be called Poppysquash Hill

2d. That one hundred feet ———

NEVADA COUNTY.—PIERCE'S LEDGE MINING DISTRICT.

ARTICLE 1st. The Laws of Indiana Hill having Expired on the 1st of July 1852, and not having been renewed the said hill is now located under the name of Pierce's Ledge.

ART. 2d. One hundred feet on the Ledge including all its dips and angles shall constitute a full claim.

ART. 3. All miners shall be entitled to hold one claim by location and any number by purchase or transfer.

ART. 4. To define the boundaries of a claim one stake shall be driven at or near the centre on the Ledge bearing the name of the owner and number.

ART. 5th. All claims located on this Ledge must be Recorded with the Township Recorder.

ART. 6th. When a claim has been properly staked numbered and recorded it may be held until the first day of Jan'y 1853.

JULY 22d 1852.

Notice.

At a meeting of the claim holders on Pierce's Ledge held this 31st day of December 1852 it was

Resolved, that the present laws be Extended until the first day of Jan'y 1854

I. W. FISH *Secy.*

Constitution of the Grass Valley Prospecting and Mining Company.

ARTICLE 1st. This Company shall be called the Grass Valley Prospecting & Mining Company, and shall consist of twenty shares.

2d. The object of this company are to prospect for, and work Quartz Cayote, and placer diggings

3d. There shall be elected by the members of the company on the first Saturday in July of each year, a President Secretary & Treasurer, to serve for the Ensuing year, and until their successors respectively are elected and qualified, it shall be the duty of the President to preside at all meetings of the stockholders; the Secretary shall keep accurate minutes of the doings of the stockholders at all meetings thereof and he shall be the Recorder of all diggings that may be discovered by the company, he shall also prepare all notices of meetings of the Stockholders. The Treasurer shall have charge of all monies paid in by the stockholders on assessments, and of all gold taken out of diggings, until the same can be divided.

4th. The President Secretary & Treasurer shall constitute a Board of Directors, to see that the orders of the stockholders are carried out. The Board may meet whenever the Exigencies of the work requires it, and shall pass upon accounts for work done, or material furnished for the use of the company, and, the President shall make his order, on the Treasurer for the same in favor of the person to whom it is due, and said order shall be countersigned by the Secretary, and registered in a book to be kept by him for that purpose.

5th. The Directors shall have power to Employ some Experienced miner to Superintend the work of prospecting (who shall also make a hand) at reasonable wages, and said foreman shall employ such number of hands as shall be directed by the Stockholders, by vote, but the Stockholders shall have power to discharge said foreman and hands, and also to regulate the price to be paid to them, to be done by vote, at a meeting thereof

6th. The company shall hold a regular meeting for the transaction of business on the evening of the first Saturday in every month, and may meet for the same purpose at any other time, upon the call of the President, or of five members of the company, the notice of the special meetings being posted at some conspicuous place, where the company are at that time prospecting and in one or more public places in Grass Valley.

7th. At the regular meeting of the company in Each month, an assessment shall be laid upon Each share for the purpose of defraying the expenses of the company, not to exceed in the aggregate, the amount necessary for prosecuting the work in hand, or that may be ordered by the Stockholders, until the next meeting, And the secretary shall submit a statement of the amount supposed to be necessary at each meeting of the Stockholders, and if the amount appropriated at any meeting shall not be sufficient to carry on the work as directed a meeting may be called and another appropriation made

8th. Any Stockholder failing to pay his assessment for two weeks after being notified by the Secretary that such assessment has been made shall forfeit his share to the company and the Treasurer shall sell the same at auction, giving three days notice thereof, and the balance remaining if any after paying the assessment shall be paid to the former owner of the share.

9th. Three days notice shall be given of all special meetings of the Stockholders

10th. The company shall have power to make all necessary by-laws and regulations, for the proper carrying out of the objects of the company, and also for the regulations of all diggings which they may strike.

11th. This constitution may be altered by a vote of two-thirds of the Stockholders present at a regular meeting, notice having been given in open meeting at least one month previous to the amendment being proposed.

12th. A Majority of the Stockholders shall be a quorum to transact business

Adopted in open meeting July 14th 1852.

Bertram Jones, *Sec*, M. S. Norton *Chairman*, A. D. Morton, Wesley Averill, W. H. Bond J. B. Ferris, N. L. Gebhart H. H. Hilton, N. Whelan Abram Cole, Andrew Cole W. A. Lamb, J. B. Nutting, Andrew Holmes, Wm Randolph Capt Bowne, Jacob Fisher John Wingerton, William Rogers Thomas Stevenson

MINING DISTRICT OF GRASS VALLEY
Nevada County California

I certify the foregoing to be a true copy of the Constitution of the Grass Valley Prospecting & Mining Company and a correct list of the members

BERTRAND JONES *Sec. G V. P. & M Co*

GRASS VALLEY *August* 7th, 1852.

Entered in the book of the Township Recorder this tenth day of November 1852

JOHN DAY *Township Recorder*

NEVADA COUNTY.—SIERRA NEVADA HILL MINING DISTRICT.

BY-LAWS.

At a meeting of miners of Sierra Nevada Hill convened for the purpose of making regulations and laws, for the government and security of the miners and claims thereon Orange H Dibble was chosen President and Alfred B. Dibble Secretary. David Wasson and Alfred B Dibble was appointed committee to draft and report regulations and laws and the Committee reported as follows.

ART. 1st. All that hill with its dips and rise in Grass Valley Township, situate between the tannery and the half-way house on the Nevada road, and about one mile north of Grass Valley on said road, shall be known as Sierra Nevada Hill.

2nd. All claims shall be numbered staked off, and recorded, and transfers of claims, shall be in writing witnessed and recorded in a book of Records.

3d. Any person who shall discover a Quartz Vein or lead on said Hill shall be entitled to have and hold a claim for the discovery of the vein and a claim for working it.

4th. Quartz claims shall be one hundred feet in length, with the depth dip and angles thereof and every such claim shall be staked off and numbered, and the claimant's name and number written or printed thereon.

5th. Quartz claim owners shall work upon the said claims, or cause the same to be worked two days in thirty, and any claim that shall not have been worked in ninety days shall be deem'd abandoned and forfeited.

6th. When several claims are own'd by a company the work upon one of the claims of the company shall have the same effect as though the several claims were severally worked.

7th. No rock or dirt or other obstruction shall be thrown upon the claim or claims of another, without the consent of the owner or owners thereof

8th. Any person who shall not comply with, or who shall violate any of the foregoing laws shall forfeit his claim or claims and the same shall be deemed forfeited and abandoned.

On Motion,

Resolved, that these Laws be filed in the Recorders Office in Grass Valley township.

On Motion the meeting adjourned.

A. B. DIBBLE *Sec'y.*

Dated AUGUST 10th 1852

NEVADA COUNTY.—BLETHEN HILL MINING DISTRICT.

RULES AND REGULATIONS.

ART. 1st. This hill shall be known as Blethen Hill.

ART. 2nd. One hundred feet square shall constitute a claim, no claim shall be valid until duly in the office of the Recorder of Quartz claims for the township of Grass Valley and staked as in Article 4th which stake shall have upon it the number of the claim.

ART. 3rd. Any person entitled to hold a mining claim, may hold one by location on this hill, and as many more as he may purchase an absolute right, subject to the laws and regulations governing the same.

ART. 4th. Each claim shall have a stake upon it as near the centre as possible, upon which shall be written or marked, the number of the claim as provided in Art. 2nd.

ART. 5th. When a claim is transferred by sale or otherwise, the same shall be noted on the Books of the aforesaid Recorder, as in article 2d, and it shall be the duty of the owner, to give notice accordingly to the aforesaid Recorder of Quartz claims for the aforesaid township of Grass Valley.

ART. 6th. Any person being the holder of a claim on this hill, who shall commit a trespass by the removal of stakes, on the claim or claims of any other person shall forfeit all his rights on the hill, but no one shall be deprived of his rights, unless judgement shall be rendered against him on due evidence as provided in the next section, and it shall be competent for the party to appeal to a Justice of the Peace.

ART. 7th. All disputes between claimants on this hill with regard to claims, and all cases of trespass shall be referred to three arbitrators, two of whom shall be practical miners one to be named by Each party and the third shall be the Recorder.

ART. 8th. That all holders of claims on this hill may have reasonable time to prepare for properly working the same it shall not be necessary that work be done until the first day of Jan'y 1853, unless prevented by sickness or the weather.

ART. 9th. All claims properly staked and recorded as provided in these regulations shall be held without its being necessary to place tools thereon, but work done by a company upon one claim, shall prevent forfeiture of any

Dated this 21st day of August 1852.

STEPHEN BLETHEN *Pres'dt,*
P. V. N. SMITH *Sec'ty.*

NEVADA COUNTY.—MOUNT PLEASANT MINING DISTRICT.

RULES & REGULATIONS.

ART. 1st. Claim's shall be one h undred feet along the course of the ledge with all its dips and angles.
ART. 2d. One stake in the centre of Each claim with the holders name and recorders number
ART. 3. The above rules having been complied with, claims will be held good until the first day of June 1853.
GRASS VALLEY Oct 11, 1852

NEVADA COUNTY.—CONSTITUTION HILL MINING DISTRICT.

LOCATIONS & TRANSFERS.

Rules and regulations.

ART. 1st. This Hill shall be known and recorded in Grass Valley as the Constition Hill.
ART. 2nd. One Hundred feet square shall constitute a full claim.
ART. 3d. Any person can hold one claim by location and any number by purchase.
ART. 4th. A claim to be held must have four corner stakes with a fifth one in the centre with the name of the owner and the number of the claim upon it.
ART. 5th. Claims can be held without labor done, or tools left upon them for one year from this date twelfth day of Oct. 1852.
ART. 6th. Claims must be recorded with the Recorder of Grass Valley, within ten days from the date of their location.

GRASS VALLEY *Oct 12th* 1852.

Jumped & called Iowa Hill April 17th 1854

NEVADA COUNTY.—CEDAR HILL MINING DISTRICT.

LOCATIONS.

Rules and regulations.

ART. 1st. *Resolved* at a meeting held this day, that this hill shall be called "Cedar Hill".
ART. 2d. That one hundred feet along the lead, with the dip and angles, shall constitute a full claim.
ART. 3rd. Any person shall be allowed to hold one claim by location and any number by purchase.
ART. 4th. Where a claim has been properly staked and numbered and recorded it can be held without any labor being done on it, or any tools left thereon until the first day of July 1852
ART. 5th. The recorder shall be allowed one dollar for Recording a claim, and fifty cents for a transfer.

Oct 17th 1852.

At a meeting held this day the above laws were extended until the first day of July 1853.

Entered this twenty third day of August 1852.

JOHN DAY *Recorder.*

NEVADA COUNTY.—WASHINGTON HILL MINING DISTRICT.

LAWS AND REGULATIONS.

ARTICLE 1st. This Hill shall be called Washington Hill.
2d. Any person may hold but one claim by location or occupation but any number by purchase, a claim shall be 100 feet square with a stake standing near the centre of said claims, with the number of said claim marked on said stake.
3d. When a claim is so staked and Recorded in the Book of the Grass Valley Township Recorder, it shall be held without tools or work being done on said claims until the fourth day of July 1853.
4th. All transfers shall be recorded in said Record Book.

At a meeting of the claim holders on said Hill this fifteenth day of November 1852, the above rules and Regulations were adopted at said meeting.

PETER KELLEY *Chairman*

JOSEP T. BARBER *Secy.*

NEVADA COUNTY.—BOSTON HILL MINING DISTRICT.

LOCATIONS & TRANSFERS.

Rules and regulations.

ART. 1st. This Hill shall be called Boston Hill.
2nd. One hundred feet square on the Ledge with all its dips and angles, shall constitute a full claim.
ART. 3. All claims may be held without work done until the first of May 1853.
ART. 4. The Claims must be staked and recorded, one stake at each end, and one stake at or near the centre, with the number and name of the owner.

At a meeting held this day on the hill J. Crosin in the chair, and I. Finot secretary the above rules were passed and accepted.

GRASS VALLEY *Nov 21st* 1852.

CROSIER
FINOT

Entered Nov 26th 1852.

NEVADA COUNTY.—NORTON'S HILL MINING DISTRICT.

CONSTITUTION AND LAWS.

At a meeting of the claim holders of the Quartz Ledge known by the following name the annexed constitution and by laws were unanimously adopted.

ARTICLE 1st. This Company shall be known as the Norton Ledge Company.

2d. One Hundred feet on the Ledge together with its dips depths and angles shall constitute a claim.

3d. The location of each claim shall be designated by one stake driven in the centre of the claim or as near as can be with the initials of the name of the Ledge and the number written thereon.

4th. The company shall consist of sixteen claimants and no addition to the number of claimes shall be made without a two-thirds vote of the same in the affirmative

5th. These laws can be altered or amended by a vote of two thirds of the company at any meeting after due notice having been given.

6th. These laws shall be recorded on the Township Records.

7th. These claims shall hold good without being work'd or tools left on them till the first day of July 1853

M. S. NORTON *Presd*

JAMES M. CAMPBELL, *Sec.*

GRASS VALLEY *Dec 9th* 1852.

MAY 10 1854

The same constitution and laws adopted and the claims to be held until May 1 1855 without work.

Resolution adopted by the Grass Valley Company

JOHN DAY, *Recorder.*

NEVADA COUNTY.—EMPIRE HILL NO. 1 MINING DISTRICT.

LAWS.

ARTICLE 1. A Recorder shall be appointed whose duty it shall be to keep a record of all claims taken up on this Hill.

2nd. The claim allowed each person upon this Hill shall be one Hundred feet square, on which there must be placed one stake on each corner and one stake in the centre with the owners name and number upon it.

ART. 3d. All claims taken up on this Hill must be duly recorded for which the Recorder shall receive one dollar and all claims sold or transferd must be entered on the books of the Recorder for the the Recorder shall be entitled to fifty cents.

4th. No person shall be entitled to more than one claim by occupancy but may hold as many as he may purchase by having the same transferd.

5th. The claims on this Hill may be held without labor or tools until the first day of January 1853.

T. S. THOMPSON, *Recorder.*

Notice.

At a meeting held pursuant to a call by the claim holders on Empire Hill, it was unanimously,

Resolved, To Extend the Rules & Regulations of said Hill for one year from the first day of January 1853.

I. I. MONETE,

H. J. MILLER, *Sec.*

GRASS VALLEY *Jan* 1, 1853.

At a meeting of the miners of Empire Hill held on the first day of January 1854, it was unanimously,

Resolved, That the Laws of said Hill should be extended, and remain in full force until the first day of January 1857.

GRASS VALLEY *Jan* 1 1854

NEVADA COUNTY.—KOSKIUSKO (*sic*) HILL MINING DISTRICT.

The following Laws and Regulations were unanimously adopted.

ARTICLE 1st. This Ledge shall be known as Kosciusko Ledge.

ART. 2d. The company shall consist of twelve shares of one hundred feet each on the Ledge with its dips depths and angles

ART. 3d. All claims shall be *held* and transfers made agreeable to the Laws of the Nevada County Quartz Convention held at Nevada City Dec. 24th last.

ART. 4th. These Laws shall be duly recorded on the Records by the Deputy Recorder at Grass Valley.

STILES *Pres*

A. BOGGS, *Sec.*

GRASS VALLEY *January* 1 1853

NEVADA COUNTY.—BEN FRANKLIN LEDGE MINING DISTRICT.

ARTICLE. 1st. This Ledge shall be known as the Ben Franklin Ledge and shall be recorded as such in the Books of the Township Recorder.

ART. 2d. Claims on this Ledge shall be one hundred feet on the Ledge with all its dips depths and angles.

3d. All claims must be Recorded with in three days from date of their location, and to be properly staked must have one stake with the name of the owner, and number of the claim upon it in the centre, and two end stakes as near on the course of the ledge as may have been ascertained.

4th. Claims on this ledge may be held for one year, from the discovery of the Ledge, say from the 28th of January 1853 to the 28th Jan'y 1854.

At a meeting of the claim holders held this day upon Ben Franklin Ledge the above Laws and regulations were unanimously adopted.

THO'S. S. TOMPSON, *Sec.*

Jan 28th 1853.

(vide post.)

NEVADA COUNTY.—JEFFERSON LEDGE MINING DISTRICT.

LOCATION & TRANSFERS.

Rules and regulations.

ARTICLE 1st. This Ledge shall be known and recorded in the books of Grass Valley as the Jefferson Ledge.

2d. 100 feet on the Ledge with all its dips, depths and angles shall constitute a full claim.

3d. Claims to be properly defined should have the owner's name upon the centre stake, which should be placed as near on the line of the Ledge as may have been ascertained.

4th. Claims in order to be held should be recorded within three days from time of location.

5th. One claim on this ledge can be held by location but any number by purchase Except the discoverer who shall be entitled to two claims.

6th. Claims on this ledge may be held one year without work being done on them, or tools being left upon the ground, say from 25th day of Feb'y 1853, to the 25th day of Feb'y 1854

At a meeting held by the claim owners the above Rules and Regulations were unanimously adopted.

HENRY BARRETT, *Sec.*

BOSTON RAVINE *Feb'y* 25, 1853

NEVADA COUNTY.—PYRENEES HILL MINING DISTRICT.

LAWS.

ART. 1st. This hill shall shall be known as Pyrenees Hill.

ART. 2d. One hundred feet along the Ledge with all its dips angles and variations shall constitute a full claim.

ART. 3d. Claims on this Hill may be held without work done or tools left thereon until the first day of May 1853.

ART. 4th. Each person is entitled to one claim by location and to any number by purchase.

ART. 5th. The Recorder of this Hill shall be Capt. John Day by a meeting of the Miners of the Above named Hill.

B. DORDAN *Chairman.*

J. FIQUIER *Sec.*

Entered this twenty third day of Sept. 1853

JOHN DAY *Recorder.*

NEVADA COUNTY.—IONE LEDGE MINING DISTRICT.

RULES AND REGULATIONS.

ART. 1st. This Ledge shall be known as Ione Ledge

ART. 2d. Claims on this Ledge shall be one hundred feet on the ledge with all its dips and angles.

ART. 3d. That the laws stand good for two years from this date.

By a meeting of the claim holders on the Hill August 24th 1854, the above laws were adopted.

GRASS VALLEY.

NEVADA COUNTY.—MADISON QUARTZ LEDGE & HILL MINING DISTRICT.

Agreeable to previous notice a meeting of Claim Holders was held on Madison Quartz Hill.

On motion of B B Layton and Seconded by J. R. Rusk, G. H. G. Stackhouse was called to the chair as president and J. R. Rush as Secretary

The object of the meeting being stated by the Chairman the following Preamble & Resolutions presented and adopted.

Preamble, Whereas the Book of Record of this Hill, has been lost or mislaid,

ART. 1. Therefore *Resolved*, That the name of Madison Quartz Hill be continued

Resolved That each Claim shall be One Hundred feet square, that

ART. 2. Each claim shall have a centre stake with the name of Locator and number thereon.

Resolved, That the Nevada County Mining Laws adopted in Convention at Art 3 Nevada City in Dec 1852 the same be adopted for the government of this hill.

Resolved, On motion of W Layton that this meeting do adjourn at 4.

Grass Valley Township Aug 18 1855.

G. W. G. STACKHOUSE *Chairman*

J. R. RUSH, *Secretary.*

I certify the above to be a true copy

GRASS VALLEY Sept 13, 1855.

A DELANO *Recorder*

NEVADA COUNTY.—HOOSAC HILL MINING DISTRICT.

LOCATIONS.

The constitution and by-laws.

ART. 1st. This hill shall be known as Hoosac Hill.
ART. 2. All claims shall be recorded in the Recorders Book at Grass Valley.
ART. 3d. No claim shall be valid unless Recorded within ten days after location.
4th. All claims shall be held good for six months without work.
5th. Each claim shall contain hundred feet with all the dips and angles.
6th. Each claim shall have the owners name with the number on the stake.
7th. No man shall hold more than one claim without purchase.
8th. The discoverers are entitled to one claim.
9th. This company shall be known as the Munroe Company.

JOHN SHAW *President*

WM. COOK *Sec.*

NEVADA COUNTY.—RHODE ISLAND HILL MINING DISTRICT.

RULES & REGULATIONS.

ART. 1st. The size of a claim shall be one hundred feet square, and shall be designated by four corner stakes and a fifth one to which shall bear the two first letters of the owner's name and the number of the claim.
ART. 2. Any person can hold one claim by occupancy and any number by purchase.
ART. 3. Each claim or claims shall be worked one bona fide day in ten and if not worked in thirty shall be forfeited.
ART. 4th. Any company holding any number of claims shall hold the whole number by working one.

WM. COLEY *Presdt.*

ROB'T CRANDALL *Sec*

NEVADA COUNTY.—SEBASTIPOOL LEDGE MINING DISTRICT.

LAWS.

ART. 1st. This ledge shall be called Sebastipool Ledge & certificates of claims headed accordingly
ART. 2d. One hundred feet on the Ledge with all the dips depths and angles shall constitute one full claim
ART. 3d. Holders of Claims on this Ledge shall be entitled to hold the same without work or tools until Jany 1st 1860.

GRASS VALLEY QUARTZ RECORD.

Miscellaneous notes.

Albion Hill,—governed by the County Laws.
Ashville Hill,—same as at Cedar Hill.
Gold Hill No. 2.,—governed by the County Laws.
Independence Ledge,— " " " " "
Kentucky Fountain Ledge,—governed by the County Laws.
Lewis Lead,—governed by the County Laws.
North Point Ledge,— " " " " "
Oak Hill,—same as at Cedar Hill
Oro Fino Hill,—governed by the County Laws.
Ohio Hill,—governed by the County Laws.
Pine Hill Ledge,—governed by the County Laws. (?)
Quimbaugh Hill,— " " " " "
Richmond Hill,— " " " " "
Squirrel Creek Hill,— " " " " "
St. Louis Ledge,— " " " " "
Texas Ledge,— " " " " "
Trenton Ledge,— " " " " "

Miscellaneous notes.

El Dorado County, Greenwood.—No written laws now in force. All locations have been made under the act of May 10. 1872.

Placer County, Dutch Flat.—No records to be found

Placer County, Auburn.—The old mining laws are lost or destroyed.

Placer County, Yankee Jim's.—Copies of the old mining laws are in existence, but are unobserved.

Placer County, Bath.—The old mining laws are not to be found, and are in disuse.

Placer County, Forest Hill.—The District is bounded on the North by Shirt-Tail Cañon, South by Middle Fork of the American River, East by Bath District, West by Todd's Valley & Yankee Jim's District. The mining laws have been burned.

Placer County, Iowa Hill.—The mining laws have not been in use, nor has organization been kept up since about 1865. The district is popularly supposed to comprise all the country from the North Fork of the American River to Shirt Tail Cañon and the head of El Dorado Cañon.

Butte County, Thompson's Flat District.—Organized in 1851. The books were lost in 1857. There has been no recorder since.

Butte County, Bidwell's Bar District.—Organized in 1850 and reorganized in 1863. Original laws and records destroyed in fire of 1854. The second organization in 1863 was on account of the copper excitement. The laws passed at that time have also been lost.

COLORADO.

GILPIN COUNTY.—BAY STATE MINING DISTRICT.

The following laws were adopted by the miners at a regular meeting held in and for the Bay State Mining District on Thursday the 19th day of July A. D. 1859

A N. PARSON *Secretary*

LAWS AND REGULATIONS OF THE BAY STATE MINING DISTRICT.

SECTION 1 This district shall commence at the mouth of the North Fork of Clear Creek and extend up the same to the mouth of the Russel Gulch so called and be known and called by the name of Bay State Mining District including the tributaries of said Creek

SEC. 2 Each Gulch Claim shall consist of one hundred feet running parallel with the creek and extend from hill to hill on either side

SECTION 3 No person shall be allowed to hold more than one claim by right of Discovery or what is more generally called taken by prospecting but any person or persons buying a claim or claims shall be entitled to hold the claims so bought

SECTION 4 Any person taking a claim and posting up a notice with name and date shall be allowed to hold the same for ten days without risk of forfeiture by recording

SECTION 5 Any person taking a claim and commencing work on the same and then leaving then leaving the claim with tools or other goods on the claim shall be entitled to hold the same ten days without risk of forfeiture

SECTION 6 Any person or persons owning or holding Mining Claims in this District shall be allowed to leave the same on and after the 23rd day of July A. D. 1860 and return to them or send their legal representative on or before the 15th day of June A. D. 1861

SECTION 7 No person or persons at any regular or special meeting concerning the mining interest of this District shall be allowed to vote unless they own or hold claims in this District

SECTION 8 All disputes in regard to mining claims or mining interests shall be settled by Arbitrators chosen by the parties or by the miners at any regular or special meeting

SECTION 9 There shall be a President and one or more vice presidents appointed who shall preside at all regular meetings and in the absence of the President any of the vice presidents shall preside

SECTION 10 There shall be a secretary appointed whose duty it shall be to be present at all regular meetings and who shall have the custody of all books and papers belonging to or appertaining to the miners of this District

SECTION 11 There shall be a recorder appointed whose duty it shall be to record all mining claims when applied to for that purpose and to give a certificate of the same and for recording and giving such certificate the Recorder shall be allowed fifty cents for each and every claim

SECTION 12 Every person or persons having a claim or claims recorded shall describe the same as lying on the North Fork of Clear Creek within the Bay State Mining District and bounded by the claims above and below by giving the names of the owners of the same and when two or more claims are taken together they shall be numbered from one upward by commencing at the lowest claim on the creek

SECTION 13. Where two or more persons are desirous of working together for convenience or otherwise and said persons own claims in Different places in this District it shall be lawful for either of said parties to leave their claims for the purpose of working as aforesaid by posting up on some conspicuous place on the claim or claims so left a written notice where the owner of the claim or claims may be found

The following amendment was made to the Regulations

AMENDMENT TO SEC. 6. By recording a claim it will hold good for ten days without risk of forfeiture

SECTION 14. Water claims shall be two hundred and fifty feet up and down the creek for mill purposes but in no case shall conflict with miners claims

SECTION 15 Any person holding a water claim shall not be prevented from holding a miners claim

SECTION 16 Any person discovering a Quartz lead shall be entitled to one hundred feet for discovery and a miners claim besides

July 14 1860 section 2 amended to read as follows

Each gulch claim shall consist of one hundred feet running parallel with the creek and extending from hill to hill on either side

Section 3 to read

No person shall hold more than one gulch claim one patch or Mill Claim and one Lead claim by right of discovery or what is more generally called taken by prospecting but any person or persons bying a claim or claims shall be entitled to hold the same in the same manner as other personal property

Section 10 Repealed and duties imposed on Recorder

SECTION 17 It shall not be lawful for any person or persons to cut any timber or trees upon any claim or claims owned by other parties without the consent of the owner of such claim or claims

SECTION 18 It shall not be lawful for any person to throw any brush or other rubbish in the creek to the damage of other miners

SECTION 19 A lode claim shall be fifty feet wide by one hundred feet in length extending along the lode and a patch or mill claim shall be one hundred feet running parallel with the creek and extending from the base of the hill to the top of the same but all patch or hill claims shall be subject to any Quartz claims that have or may be discovered upon said patch or Mill claims

SECTION 20 Any man can hold a discovery claim of each kind by working one of them

SECTION 21 No person or persons shall locate a water claim upon the claims of miners without the written consent of the owners of such mining claim or claims

August 11 1860

At an adjourned meeting held this day the following resolution was adopted

Resolved The order of recording a claim title shall be when presented for record, the pre emptor shall present a certificate of his claim with a description of the same and when the title is acquired by purchase he shall present the deed which instrument the Recorder shall copy into a book kept for that purpose and shall file on the back of said instrument the hour of the day the day of the month and the year when such instrument was presented for record and the page of the book where recorded and return the instrument to the owner

The following named persons were chosen a committee to hear and decide disputes in regard to claims Charles Allen John Huntington William Elwick Mr Runolds David Haines

Section 3 amended to read

Any person owning or holding mining claims in this District shall after having them duly recorded hold them as a vested right the same as real estate is held in this District

SECTION 22 The President shall have power to appoint two men and those two shall appoint one other man and the three shall settle the difficulty existing between the miners to which they was chosen to settle from which there shall be no appeal. When the President has a difficulty then the Vice President shall appoint in the same manner

SECTION 23 It shall be the privilege of any miner or miners to take out the water out of North Clear Creek in a ditch or flume around any mans claim or over his claim for the purpose of washing dirt on the hill side hydraulic power or sluicing not interfering the claims passing thereover

SECTION 24 The above laws shall not be repealed unless two thirds of the miners in said District shall concur therein or there shall be a majority of two thirds

SECTION 25 The President shall call the district together upon the written request of five miners of said District the President giving three days notice in writing posted up in three of the most public places or the President and Vice-President shall have the same power giving the same notice

SECTION 26 All meetings of the District shall be held at the Residence of W. T. Carey

SECTION 27 All persons that own claims in this district that are absent since the 30th of September A. D. 1860 recorded sold or transferred or not recorded all such claims shall be considered void unless they have friends or agents in this District to represent their claims all such agencies shall be recorded in five days after the passage of this article or law

SECTION 28 Section 7 was so amended as to read that all citizens of this District shall be entitled to vote at all meetings

SECTION 29 Resolved that it shall be unlawful for any man or men to preempt a claim or claims for any man or men known or believed to be in the states all kind of claims whatever all such claims shall be void

SECTION 29 There shall be five citizens of said District chosen to settle all difficulties in regard to mining interests the opponents are to choose two persons out of said committee and if those two cannot agree the third person shall be chosen out of the committee by the two that are already chosen and if either of the parties are dissatisfied with the decision they can appeal to the miners of the District and from their decision there shall be no appeal.

The committee that was chosen consists of the following persons J. M. Stewart M. L. Turner J. L. Willson R. Crummel W. T. Reynolds

SECTION 30 *Resolved* That all the laws of Gregory District be adopted except the law relating to Jury. It was passed that there should be six jurors before said Justice and they should be twelve names writ down by the Justice and from those twelve the six should be chosen in the following manner the Defendant shall strike out the first name and then the Plaintiff shall strike out one and if either or both refuse to strike out the Justice shall do it for them until there is but six remaining and the six remaining shall be the jurors from which there shall be no appeal the party calling the jury shall depost with the Court the jury fees in money which shall be one dollar and fifty cents in cash to each Juror in case no Jury is called the Court shall try the cause.

I certify the above law to be correct the law that was adopted was past in Gregory District February 18 & 20 A D. 1860

J. S. STONE *Judge of the Miners Court*
M. STORUNS *Recorder*

H. L. GRAHAM *Recorder of Bay State District*
AUGUST 6 1861

BOULDER COUNTY.—GOLD HILL MINING DISTRICT.—[LAWS OF 1859]

MINERS MEETING OF MOUNTAIN DISTRICT NO 1 IN NEBRASKA

Meetings of the assembly of Dis. No 1

Saturday July 23rd 1859 meetings according to order of Pres at Gibbs—Callen

Meetings called to order by the Pres.

On motion E. S. Glotfetter there appointed sec.–protem.

Motioned that each canditate for secretary Declare himself as such publicly whereupon G. S. Barnett. Wiley Runch & P. M. Housel did so.

After a considerable speaking G. S. Barnett was Elected sectreary of Mountain Dis. No 1.

On motion that the fees of recorder were reduced to Twenty five cents

On motion a committee was appointed to Revise the present & make such Amendments as were deemed expedient

Committee consisted of P. M. Housel, Mr Weeks, E. S. Glotfetter J. D. Scott & Wiley Runch

On motion that D. C. McCoy be appointed constable & adopted.

On motion meetings adjourned to meet Saturday July 30th '59 on scattis Lead for the purpose of recieving the committees report on the revising of the Laws and such amendments as they thought expedient to make Adjourned.

E. S. GLOTFETTER *Sec. protem.*

Minuts of the meeting of the miners of Mountain dis. No 1 *held July* 30*th* 1859.

In pursuance to agreement of a meeting held in the gulch July 23 '59, the Pres. being in the chair called the meeting to order.

Minuets of the last meeting being called for the secretary was granted leave to amend them

On motion P. M. Housel was appointed sec. pro tem for the present meeting.

On motion the committee called to report, P. M. Housel foreman came forward & read said report of committee

on the revised Laws &c. thence came up quite a debate in regard to a separate organization in Gold run and on the hill after being discussed to a considerable length the question was decided by a vote of the inhabitants of Gold Run which resulted as follows: That the Gulch should be connected with the Hill in dis. No 1 and carried by an unanimous vote

On motion by Capt. Scott for taxation for road purposes said motion lost.

The report being called for P. M. Housel foreman handed in the report of revised Laws & Resolutions.

Motioned and carried that the resolutions should be read Article by Article and approved or disapproved as the assembly choosed or wished.

Resolutions.

1st. *Resolved*, That this Dis. be called Mountain Dis. No 1 and that it shall extend two miles in each direction from Capt. Scott's discovery claim on the Lead known as Scotts lead excepting in the direction of Boulder district in which direction it shall extend to & Join on the Boulder district.

2nd. *Resolved*, That each miner shall be entitled to take & hold only one mountain claim and one water claim for the purpose of washing the gold from the quartz. Lead and one Gulch claim by preemption each quartz claim may be not more than 100 ft. in length and extend not more than 25 ft on each side of the stakes, marking the ends of the claims, each water claim may not be more than 33 ft in length up & down the stream & may extend not more than 20 ft from each bank. each gulch claim may not be more than 100 feet in length & 50 ft in breadth.

3rd. The discovery of any new Lead..or digg. shall be entitled to one claim by right of discovery which he shall mark Distinctly as such and shall name the lead.

4th. All claims hereafter discovered shall be numbered from the discovery claim which shall be in every case No 1.

5th. Each claim must be distinctly marked by a stake firmly driven in the ground or otherwise firmly fastened at each end of the claim on which shall be written the name or names of the person or persons claimming with the directions and dimensions of the claim and the date of making the same.

Resolution 3rd, Sec. 1st. No man shall be permitted to take or hold any claim by preemption in this mining district unless he is an inhabitant of the same or file a declaration of his intention to become such within Ten days, with the Secretary of the miners assosiation and in case of failure to become such in the above named time he shall forfeit his claim

Sec. 2nd. Any man holding a claim in this mining district shall work at least one day in every Ten upon the same until he shall have done Ten full days work upon it whereupon proving to the President of this district by at least one creditable witness he will be entitled to receive a certificate from him of his ownership of sad claim which on being countersigned by the Sec. shall be considered a sufficient title to the same.

Sec. 3rd. In case of failure to perform the one days work in every Ten as specified in article 3rd of this Resolution the claim shall be vacant.

Sec. 4th. When companies of two or more shall be at work upon one claim belonging to the company all other claims owned or held by said company shall be considered as worked by putting a notice on each claim stating where the company are at work.

Resolution 4th. That the owner of a discovery claim shall be entitled to a certificate of ownership for the same as specified in Article 2nd Resolution 3rd whether he shall have done any work or not.

Resolution 5th, Sec. 1st. That the officers of this mining district shall consist of a President who shall also perform the duties of justice of the peace and keep a regular docket of all business done by him and shall receive for his services, for every case tried before him which shall not occupy more than Two hours, Two dollars for each case, for those occupying more than two and not more than Four hours, Four dollars; for each case, occupying more than Four hours and not more than one day Five dollars, and at the rates of Four dollars per day for every day after the first.

Sec. 2nd. A constable who shall perform the duties appertaining to his office and shall receive for his services, one dollar for each writ served and Twenty-five cents for each summons to Jurors.

Sec. 3rd. A Recorder who shall perform the duties of secretary and Recorder and record all claims, transfers and other instruments of writing which shall be recorded and shall keep an accurate record of all business transacted by this assosiation in a book separate from that in which the claims are recorded, and shall receive for his services 25 cents for each instrument recorded excepting the minutes, resolutions etc. of the association and in case of the Pres. being absent or unable to attend to his duties, shall perform the duties belonging to his office in his stead.

Sec. 4th. Each witness and jurors shall be entitled to Two dollars per day for their attendance.

Resolution 6th. That the claim or claims, wagons, stock and monies or credits due (except wages for labor) of any man contracting debts in this district shall be liable for such debts.

Resolution 7th. Sec. 1st. That any man having cause of action against another may sue out a writ and have him brought before the proper officers of the district and unless he shows sufficient cause for delay as the absence of witnesses or other cause they shall proceed immediately to trial

Sec. 2nd. In case of a continuance or the plaintiff demands it the defendant shall be required to give satisfactory security for the amount claimed together with cost of suit, and if he fail to comply the Justice may order the Constable to sieze upon any property belonging to defendant and not exempt from levy and hold the same until the case is decided when if the Defendant fail to pay the amount of the Judgment which may be rendered against him, the Justice may issue an execution ordering the Constable to offer for sale the property held or any other which may be found which is liable to levy and sale for debt no sale however shall be made on execution until notices shall have been posted in at least four conspicuous and public places in this Dis. for at least Ten days previous to the sale.

Resolution 8th. That it shall be unlawful for any one to obliterate, deface, or remove or in any way alter any mark from any stake or tree marking the bounds of any claim or claims and upon conviction of such acts shall forfeit all right or interest in the claim or claims the marks of which may be so altered or removed.

Gold Hill Mining District, Neb. *Nov 5th*, 1859.

A Bill was introduced by E. D. Steele to provide for the regulation of mill site claims, as follows:

Article 1st. Any person who shall hereafter make a claim on any stream within the limits of this Dist. for the purpose of erecting a quartz or lumber mill thereupon shall within ten days thereafter proceed to the occupancy and use of said claim.

Art. 2nd. Every person at the time of making any such mill site claim shall distinctly mark the boundaries by setting up stakes or otherwise and cause a notice thereof to be placed on file in the recorders office.

Art. 3rd. No mill site claim shall include more than Two Hundred feet each side of the center of the stream nor shall occupy more of the stream in lenght than will be sufficient to raise the water by a dam to the height of fourteen feet.

ARTICLE 4th. Any person producing satisfactory evidence to the Pres. of this Dis. that he has complied with the provisions of the first Three articles of this act in making a mill site claim shall be entitled to receive a certificate declairing him or his rightful heirs to be the owner or owners of said claim so long as he or they shall continue to occupy and use it as a Qurtz or Lumber Mill site.

ART. 5th. None of the provisions of this act shall be so construed as to prevent the right of way to all persons up and down the stream across mill site claims.

ART. 6th. All mill site claims made previous to the passage of this Act and in occordance with the preemption laws of the United States: and not conflicting with the laws of Nebraska Territory is hereby declaired valid and certificates of ownership may be issued by the President of this Dis. for such claims in the same manner as for claims made under the provisions of this act provided that such certificate contain the same restrictions as provided in the last clause of Article fourth (4) of this Act.

(On motion the bill passed)

ART. 7th. This act shall take effect from and after its passage.

The people of Gold Hill District Nebraska Do act as follows

ARTICLE 1st. Immediately upon the passage of this act there shall be Eleven delegates elected by the people to form a convention to make a constitution and to revise and amend the laws of this district.

ARTICLE 2nd. Such convention shall meet within Ten days after the passage of this act and organize themselves for the transaction of business and adopt such rules and regulations for their own government as they shall deem proper, and thereafter they shall meet from time to time until they have completed the constitution and revised and amended the laws as aforesaid.

ART. 3rd. As soon as the convention shall have performed the duties assigned to them by this act, they shall place the new constitution and laws in the office of the Recorder for the examination of all persons at least Ten days previous to the general election, to be held on the first Monday in March 1860.

ART. 4th. At the general election in March 1860 said revised constitution and laws shall be submitted to a vote of the people for their approval or rejection at which time persons voting on constitution and laws will write on their ballots the words *revised constitution and laws, yes*, if voting in favor of the new constitution, but if voting against the same shall write on their ballots the words, *revised constitution and laws, no.*

On motion the bill passed.

On motion

Resolved: That a committee of Three be appointed by the people to examine the records of this district and to make a list of all papers legally recorded and leave such list in the Recorder's office to be seen by all persons and post up a notice stating that such list has been made and where it can be found.

Carried.

E. D. STEELE *Sec.*

At a meeting of the miners of Gold Hill held at the President's office on the evening of the 23rd of Oct. A. D. 1860, the Pres. stated the object of the meeting after which a statement and proposition was read to the meeting, from John McKnight & Co. which was as follows

1st. By Draft on a respectable man in St. Louis Mo. payable Sixty days after sight, or a mortgage on our property here payable Sixty days after date thereby securing to each one the full amount due them without any loss whatever

Resp

JOHN McKNIGHT & CO.

There was a motion made to extend the time on the payment of the debts for Sixty days; there was an amendment offered to do the same on *all mills*, which was carried, after which the meeting adjourned

T. P. GRAHAM *Sec. pro tem*

GOLD HILL DIST. *Oct. 29th* 1860.

Pursuant to a call of the Pres. the miners of Gold Hill Dis. met at the house of Jas. Carlile. When the Pres. called the meeting to order the case of Wm. Bryan vs. Mr. Culver was taken up, it being a case of appeal from the Justice Court to a miners court.

A motion was made that Twelve men be appointed as Jurors to try the case, amended by P. M. Housel that Twenty-four men be appointed and each party choose off Six men the remaining Twelve to be the jurors.

Motion made that the Pres. appoint Three men to choose the Jurors, carried.

Committee Charles Dabney, G. S. Barnett and Wm. Corson.

After the Jurors were choosen the meeting adjourned untill 6 O'clock P. M. Oct. 30, 1860

E. S. GLOTFETTER *Sec.*

GOLD HILL *Dec. 15th*, 1860

The committee appointed to draw off the fee bill and to examine and see if the Constable had charged more than fee bill alowed him to charge, was called to report.

Report of Committee

We the undersigned committee appointed to investigate and examine the papers returned to the President's office by James Carlile during the time he was Constable of this Dist. beg leave to report that they have attended to the duties assigned them, and that said Constable has charged Fifty cents for serving papers for which the law allow but Twenty, and, in the case of Collins vs Pancost, he has charged Two dollars and Seventy-five cents mileage which is more than the law would allow under any circumstances by at least One dollar and twenty-five cents all of which is Respectfully submitted by, Committee.

On motion the report was accepted and the committee discharged.

The fee bill was then read which is as follows

Presidents fees:

1st	For issuing summons to defendent	50
2nd	For trial of case occupying ½ day or less	$1 50
3rd	" " " " " more than ½ day	$3 00
4th	For each day after the first at the rate of	$3 00
5th	For issuing Subpœna to witness	50
6th	" " writs of at attachment	50
7th	" " execution or writ of Delivery	50
8th	For all bonds or affidavits or Docketing causes of action, or for any instrument necessary to be written	75

Constable fees

1st For serving sommons on Defendant *venire*, on Jurors, Subpœna on witnesses, each 20 cts.

2nd For each mile traveled to serve any writ Subpœna or other instrument necessary to be served Twenty five cents.

3rd For taking care of property such as horses mules or cattle comming into his hands, all necessary expences shall be allowed as may be decided by the Pres.

4th For posting notices in civil cases twenty cents

5th For writing all bonds necessary to be taken by law Seventy-five cents.

6th For each days attendance on court, at the rate of $3.00 per day.

7th For serving execution and making levy fifty cents.

8th For selling property three per cent for any amount under $50.00, 2½ per cent for any amount under $150.00 and Two per cent for all amounts over $150.00.

The following resolutions were read and handed in to be acted on at the next regular meeting.

Resolve 1st. That all actual residents, of Three months, of this Dis. be allowed to preempt one claim on every Quartz lead in this Dis.

2d That when a tunnel is started on any lead no claims shall be taken or preempted on said Lead to interfere with the tunnel below the depth of fifty feet

The above Resolutions were acted upon and carried Dec. 27, 1860.

GOLD HILL *Dec.* 27 1860

Pursuant to a call from the Pres. the miners of Gold Hill Dis. met on the evening of the 4th day of March 1861 for the transaction of such business as may come before the meeting.

The following Resolutions were read and adopted.

Resolutions.

1st That when an appeal is taken before the miners that the President, Constable, Jurors and Witnesses shall be entitled to the same fees as before the President.

2d That the parties asking for an appeal shall be required to give security for costs before they are entitled to an appeal.

3d That all appeals shall be taken in three days from the time judgment is rendered.

After which the following Resolutions were read.

1st *Resolved:* That the Law requiring Ten days work in the district in order to hold a Quartz claim be hereby repealed. (Laid over)

2d That the the law passed prohibiting the sale of liquors be annulled. (Laid over)

3d That the President appoint a committee of Three to procure a survey of the district and that said committee be instructed to mark the North, West and South boundaries and further that the expences of said survey be defrayed out of the Road Fund. (Laid over)

E. S. GLOTFETTER *Sec.*

GOLD HILL NEB. TER. *Mar. 9th* 1861

Meeting called to order by the Pres. W. R. Blore.

The minutes of the last meeting read and adopted.

The following Resolution was read and adopted.

That the Law requiring Ten days work in the dis. in order to hold a quartz claim be hereby repealed.

Also adopted.

The resolutions to have the District surveyed and to annull the liquor law were lost.

The following resolutions were read and laid over till the next meeting.

Resolution 1st That when a trial is brought before the Pres. or miners there shall be reasonable time allowed for collecting the witnesses, by taking oath that the witnesses are absent.

2d That the fees for recording Quartz claims in this district be reduced to Fifty cents.

3d That the road-law be so ammended that each claim be taxed One dollar instead of Two dollars and Ffty cents. (Amendment, $1.00 or a half days work)

4th That the President appoint a committee of three to find how many claims are recorded in the Dis. and make out a list of the same.

The above Resolutions were adopted Apr. 6th 1861

E. S. GLOTFETTER *Sec.*

GOLD HILL *April 6th* 1861

A petition was handed in from citizens of Sugar Loaf Dis. asking that a division line be establishes between the two districts.

A motion was made that a committee of Three be appointed to draw up an act of division between Gold Hill and Sugar Loaf districts, carried

The following committee was appointed P. M. Housel D Seas M. S. McClaslin

Moved that James Carlile pay the cost of the suit between himself and Besweck, carried

Motion to adjourn, carried.

E. S. GLOTFETTER *Sec.*

GOLD HILL *April 13th* 1861

Meeting called to order by the Pres. W. R. Blore. Reports of committees:

We the undersigned a committee appointed to ascertain the number of claims recorded in this dis. beg leave to report that we have attended to that duty and find that there are in all 696 claims on record we find 168 leads 71 leads but one claim recorded
14 " " three " "
22 " " two " "

There are 42 claims other than discovery claims that have no direction to indicate which side of the discovery they are, all of which is respectfully submitted,

E. S. GLOTFETTER
P. M. HOUSEL
J. W. SMITH
Committee

On motion the report was accepted and the committee discharged.

2nd report:

We the undersigned a committee appointed to report a resolution for the division of this Dis. or a relocation of the boundary line between this, Gold Hill, and Sugar Loaf districts beg leave to offer the following.

Resolve 1st That the southern boundary of this district be so changed that it shall run on the South Western brow of the hills or ridge between Four mile Creek and the gulches known as Clock's and Gold Run gulches.

2d That all Claims which shall be divided by the boundary line shall be regarded as in that district where the largest part of the Claim lies.

3d That all claims now recorded in this district which are in that part which will be thrown into Sugar Loaf district by the change of boundaries shall be acknowledged as valid by the Sugar Loaf district without subjecting the owners thereof to the expense of having them recorded in that district,

All of which is respectfully submitted

P. M. HOUSEL
DAVID SEAS
M. McCASLIN

On motion the report of the committee was accepted and the committee discharged.

On motion E. S. Glotfetter was appointed to make out a list of the taxable claims in the district and the names of the persons owning them, and that he should be paid out of the road fund.

Adjourned

E. S. GLOTFETTER *Sec.*

GOLD HILL DIS. COLO. TER. *April* 24. 1861

The following resolutions were handed in and read.

Resolve 1st That the Law prohibiting the sale of liquor be hereby repealed. (Lost).

2d That when a person shall have conformed with the laws of this Dist. in taking a quartz claim he shall be the rightful owner of ground enough on each side of his stakes for prospecting the same and when the lead is found he shall put his stakes on the lead and be the rightful owner of Twenty-five feet on each side of his stakes. [amendment the lead] (Carried).

3d There shall be a redemption of Sixty days for all property sold for debts in this Dist. by paying Ten per cent per month on the same. (lost)

4th That a committee of Three be appointed to copy the laws of this mining district and put them in proper shape. (Carried).

5th That the clause (except wages for labor) in Section Six Article Six be stricken out. (Carried).

6th That the road-law shall be so amended as to read that all road taxes shall be paid by the 15th of July 1861 and if not paid their claims shall be sold as the law directs and that the owners of such claims shall have sixty days after the sale in which to redeem them, by paying Ten per cent per Month.

AMENDMENT. Amended by striking out all after resolved and inserting: That the time of redemption on claims sold for taxes be reduced from one year to Sixty days. (Adopted).

Motion 1st That the road commissioners receive the same pay as the laborers. (Carried)

GOLD HILL *Sep.* 28 1861

At a meeting of the miners of this district for the purpose of determining whether the miners shall be sustained.

Mr. McCaslin moved the the miner's court be sustained. (Carried)

Mr. Housel moved a reconsideration of the question (Carried).

Mr. Housel then addressed the miners in favor of sustaining the miners court.

Mr. Collins spoke in favor of the Territorial courts superseding the miners courts, on motion of the President the miners courts of this district was sustained.

J. P. ERRICKSON *Sec pro tem.*

GOLD HILL *Oct* 2 1861

Miners came together pursuant to a call by the President,

On motion, the rules requiring a resolution to lay over one week, were suspended that the following might be voted on immediately.

Resolved: That the road commissioners be authorized to advertise delinquent taxes and sell the claims to pay road taxes due on them and that the fees for advertising and selling such claims be Seventy-five cents per claim.

On motion a committee of three was appointed to meet another committee from Boulder and locate a new road between Gold Hill and Boulder. Also a committee of three to solicit subscriptions to build the same.

Resolved: that we the miners of Gold Hill in meeting assembled are emphatically opposed to the taxation of quartz or other mining claims having anything to do with our books or with recording our claims and that we will continue to transact our business as a mining community as far a quartz claims are concerned as we have heretofore been doing.

Adopted

C. H. MERRILL, *Sec. pro tem.*

CLEAR CREEK COUNTY.—DOWNEYVILLE MINING DISTRICT.

RECORDS OF DOWNEYVILLE DISTRICT

Laws

ARTICLE I. The boundaries of this district shall be as follows, commencing at the mouth of Waldens fork of Clear creek and running down Clear creek two miles and up the same two and one half miles and northwardly up Waldens fork two & one half miles & south to the top of the divide embracing the ravines included in said limits to be known as the Downeyville mining District

ART. 2. The officer of this district shall be a secretary who shall be elected by the miners and hold his office during the pleasure of the majority

ART. 3. The duty of the secretary shall be to record the proceedings of all meetings held by the miners to call meetings when called upon to do so, in cases of dispute or otherwise and to record all claims, transfers of claims &c in a book kept for that purpose and he shall receive as compensation for his services the sum of one dollar for recording each claim or transfer & two dollars for calling meetings &c in cases of Dispute.

ART. 4. Each miner shall be entitled to hold one bench claim one gulch claim one water or river claim and one land claim and no more except by purchase or representation by actual labor thereon

ART. 5. Bench claims shall be 100 feet in length and the width of the bench gulch claims 100 feet in length & from bank to bank River claims where it may be necessary for him to turn the stream shall be 200 feet in length and extend from one bank of the stream to the base of the mountain on the opposite side and lead claims 100 feet on the lead and 25 feet on each side

ART. 6. No claim shall be considered valid or good unless worked within ten days after being staked and every ten days thereafter unless recorded by the secretary But in all cases at least two weeks work must be done by the claimant on one or more of the claims

ART. 7. Where claims are held by companies it must be so stated upon the stakes marking such claims and the names of all the members of the company must be given upon the records with a description of said claims and where members of a company are at work upon one claim of the company all the others shall be considered as worked by the notice being posted on the same

ART. 8. In all gulches or ravines where water may be scarce the oldest claimants shall have preferance and priority of right to water

ART. 9. In cases where the benches or banks of a stream may have been claimed prior to the bed of the stream parties claiming the bed of the stream for mining purposes shall be entitled to right of way across adjoining claims unless the exercise of such right should render such claims unfit for work

ART. 10. In cases of dispute in regard to claims or other matters of difference between parties the secretary shall when called upon by either party upon the payment of the prescribed for such service call a meeting of the miners whose duty it shall be to attend & who when convened shall elect a disinterested member of their own body to act as prescribed and said president shall have power & it shall be his duty to select 9 men the contesting parties to reject alternately until the number is reduced to three which three shall constitute a Jury & decide such disputes by a majority vote the president being empowered to administer to jurors and witnesses the customary legal oath or affirmation

ART. 11. Individuals or companies may claim and hold sites for towns by having the same recorded by the secretary and building upon the claim within 30 days from date of claiming

ART. 12. These laws may be altered or amended by a two third vote of the miners present at a special meeting notice having been given by posting in three conspicious places & at least 3 days in advance

Passed July 29 1859

E JAMES *Sec.*

At a meeting of the miners of Downeyville district held September 6 1859 the legal notice having been given The following resolution was unanimously adopted viz

That all claims properly held in this district shall hold good until the 15th day of June A D 1860 and all water or mill site claims for one yeare from this date without improvement

Passed September 5 1859

E JAMES *Secy.*

At a meeting of the miners of Downeyville District held Aug 6 1860 the legal notice having been given the following amendments and revisions to the foregoing laws were unanimously adopted to wit

AN ACT to provide for and define the future boundaries of the Downeyville District

SECTION 1. *Be it enacted by the citizens of Downeyville District assembled in convention* That the boundaries of this district shall be as follows: Commencing at a point on the south bank of Clear Creek opposite the mouth of the Waldens fork thence up said Clear Creek to the first place where said Clear Creek forks thence due North to the North bank of Waldens Fork thence down said North fork of Waldens Fork to the place of biginning

SEC. 2. *Be it further enacted* That the boundaries of this district shall not be changed hereafter without the consent of two thirds of all the citizens of the district present at a regularly called meeting

SEC. 3. *Be it further enacted* That if any persons shall wish to change the boundaries of this district or erect another district within the same or annex any territory before that time not belonging thereunto a public meeting of the citizens shall be called and ten days notice given of the same by posting five different notices of said meeting in as many conspicious places, If the petition for a new district a change of boundary applied for in this district be granted it shall not take affect for ten days thereafter

Defining Claims and Regulating Titles thereto

SECTION 1 *Be it enacted by the citizens of Downeyville District in Convention assembled,* That all Mining lodes gold or any other precious or useful metals and all mining or other claims shall be held under and be defined by the provisions of this act

SEC. 2 *Be it further enacted* That the term claim as used in this district shall be construed to mean when applied to a lode one hundred feet along the same and fifty feet in width, when applied to a gulch claim one hundred feet along the same and from bank to bank When applied to a bar claim one hundred feet up and down the bench or bar and extending from the creek to the base of the mountain, When applied to a patch or placer diggins one hundred feet square When applied to tunnel claims the entire distance it is intended to run the said for discovery purposes and including five hundred feet on each side of said tunnel on every lode which said tunnel may cross Provided that such portion of said lode shall not be taken up at the time of the locating said tunnel if such portion of any lode is crossed, be taken previous to the locating of said tunnel then persons owning and running said tunnel shall be entitled to one thousand feet on any such lode so crossed and not taken up at the time of locating said tunnel When applied to mill claims three hundred feet square with the exclusive right to use the water on said claim when applied to a ditch claim the entire distance which the owners intend to run the same as shown by the survey and staked when applied to a ranch claim or farming claim one hundred and sixty acres (160) When applied to a building twenty two (22) feet front by one hundred feet deep

SEC. 3 *Be it further enacted* That no person shall have more than one lode Gulch patch or bar claim in this district except by purchase or discovery

SEC. 4 *Be it further enacted* That no person shall hold more than one mill farm building or tunnel claim in this district except by purchase

SEC. 5 *Be it further enacted* That the first record of any claim duly recorded in the books of this district shall hold said claim against any other claimant

SEC. 6 *Be it further enacted* That all claims with the exception of lode patch & gulch claims which have been taken up or may be located before the 1st day of August A. D. 1861 shall hold good until that time

SEC. 7 *Be it further enacted* That any members of a company may take up as many claims of each kind as there are members of such company provided that the name of each member of said company shall appear on the record of such claim

SEC. 8 *Be it further enacted* That all deeds bills of sale or instrument of any kinds relating to the conveyance of claims shall be witnessed by at least two disinterested persons and recorded

SEC. 9 *Be it further enacted* That any person discovering a lode shall be entitled to a discovery claim on such discovery claim shall be ——— property

AN ACT in relation to the officers of Downeyville District their duties term of office and fees

SECTION 1 *Be it enacted by the citizens of Downeyville district in convention assembled* That there shall be elected in this district on the first Saturday of ugust in each year the following officers who shall hold their respective offices for the term of one year unless they shall sooner die or resign their office to wit, a President a Recorder and a Sheriff

SEC. 2 *Be it further enacted* That the Sheriff of this district shall have the same powers that are given to a sheriff of the laws of Kansas

SEC. 3d. *Be it further enacted* That it shall be the duty of the President of the district to preside at all public meetings of the citizens of this district when called for purposes relating to public business and to preside at the trial of all laws in the miners Court

SEC. 4 *Be it further enacted* That it shall be the duty of the Recorder safely to keep the books and record of this district and to record all proper papers on the payment of his fees To act as secretary of the district at all public meetings of the district and to keep all monies paid into his hands by the Judge of the miners Court to be paid away or distributed by the citizens at some public meeting legally called

SEC. 5 *Be it further enacted* That the fees of the Recorder shall be one dollar for each claim or instrument in writing recorded, and such other fees on other district business as shall be allowed him by the citizens

The Sheriff may charge double the fees allowed a Sheriff of Kansas Territory and the Judge of the Miners Court five dollars for presiding at each trial and double the fees allowed by the laws of Kansas for making out the papers proper for him to make out

SEC. 6 *Be it further enacted* That every person shall be a voter in this district who owns a claim therein which is recorded

AN ACT repealing certain laws now in force in Downeyville District

SECTION I *Be it enacted by the citizens of Downieville district in convention assembled* That all laws or parts of laws hereintofore in force and the laws passed at this meeting are hereby repealed

AN ACT To amend an act defining Claims and regulating titles thereto

Be it enacted by the citizens of Downeyville District in convention assembled That all mill claims shall be ——— property

Passed Aug 4 1860

U E SISTY *Secretary*
By A S GOODING *Deputy*

MINUTES OF MEETINGS

A regularily called meeting of the miners of Downieville District assembled at 1 p. m. Aug 4 1860
Meeting called to order by Mr Sisty
Mr T F Johnson was called to the chair
At the request of the president of the meeting the laws were read by the Deputy secretary
Moved and carried that all lode claims hold good by recording the same until there is sufficient machinery in the neighborhood to justify the working of the same,
Moved and carried that a committee of three be appointed to serve the laws of this district and that said committe be appointed by the chair
Miners Bliss Hemman and Croften were appointed as said committee retired to perform the same
Committee on laws returned & made their report
On motion the report of said committee was accepted and the committee discharged
The revision of the laws as reported was adopted
On motion proceeded to the election of officers
Mr David Bowen was elected President
Mr W E Sisty was elected Recorder
Mr L E Pitcher was elected Sheriff
On motion adjourned *son die*

S T JOHNSON *President*
A S GOODING *Dep Secretary*

Witness
A BLANCHARD
P JOHN SIMCOX

MINUTES OF MINERS MEETING

A regularly called meeting of the miners of Downieville District The legal notice having been given Assembled at 1 p. m Sept 20 1860
Meeting called to order by Mr Gooding Mr David Bowen the president of the district being absent
Mr C F Currier was appointed chairman Pro tem Mr A T Gooding Depty Recorder acting as Secretary
The following resolutions were then offered by Mr Hampton

Resolved That all preemtion claims shall be and are from this date held as real estate if such claims are duly recorded on the books of the district and said claims shall be subject to no compulsory labor whatever until the 10th day of august A D 1861

Resolved That any citizens of this district can hold by preemption one claim on each and every lode in this district by recording the same on the books of the district

Resolved That any organized company doing business within the boundaries of this district and when organization and list of members recorded on the books of this district shall be allowed to vote their whole number of votes in said companys by their regularly constituted agent at any miners meeting of the district

Moved and carried that the resolutions be adopted
Proceeded to the election of sheriff for the unexpired term of Mr S. E. Pitcher who has left the country
On motion Mr Robert Harden was duly elected sheriff for the unexpired term of Mr S E Pitcher
On motion meeting adjourned *sin die*

C F CAMNER *Chairman*
A S GOODING *Secretary*

Witness
J C WHITALL
H B NOONAN

See also minutes of convention of the miners of Montana and Downeyville districts held April 23 1860, given under "Montana District, Clear Creek county."

SUMMIT COUNTY.—ILLINOIS MINING DISTRICT.

BY LAWS AND REGULATIONS GOVERNING THE ILLINOIS MINING DISTRICT U. T. MAY 22 1860

At a meeting held by the miners at the Hill and Norris camp Sep 10—1859 having there discovered gold declared and organized a district to be named and designated as the Illinois District at which meeting George Norris was appointed President and Henry Gassent Secretary
On motion of H. Hill seconded by A. Glick, it was

Resolved That the boundaries of the Illinois District shall be as follows, to wit;
Its west by north boundary shall be the centre of the prairie into which it outlets; thence extending east by south to its source with all tributaries lodes and mining grounds thereto belonging within the above mentioned limits extending from the first starting point

running up said gulch or ravine one and one half miles on each side of said gulch or ravine aforesaid and to extend one and one half miles around its source or upper extremities including all the tributaries thereto belonging

On motion of H. Hill seconded by A. Glick the meeting adjourned until the 20 day of September 1859

At an adjourned meeting held on the 20 day of September 1859 George Norris in the chair it was moved by J. W. McIntire and seconded by L. Pollard that permanent officers shall be elected for one year; motion carried

On motion of J. W. McIntire and seconded by H. Hill that George Norris act as president; motion carried

On motion of L. Pollard and seconded by J. W. McIntire that Henry Gassent act as Secretary; motion carried. * * *

On motion L. Pollard, J. W. McIntire and J. L. Sharp were appointed as committee to draft by laws

At meeting according to adjournment September 26th 59 the committee appointed to draft by laws at the previous meeting, reported as follows

ARTICLE 1 This district shall be called the Illinois District and shall be bounded as heretofore prescribed by law.

ART. 2 That a President and Secretary shall be elected whose office shall be good for one year from the day of election

ART. 3 The duty of the President shall be to preside at all regular meetings summon all jurors and witnesses and administer the customary oath or affirmation and in absence of the Secretary the President shall have full power to act and perform all the duties assigned and receive all remunerations arising from said office.

ART. 4 The duties of the Secretary shall be to keep a correct record of all regular meetings in a book kept for that purpose etc.

ART. 5 Claims in this district shall be classed as follows, gulch claims; lead claims and bank or dry claims the size of which shall be as follows.

Gulch claims to be 100 feet up or down the gulch and extending 100 feet on each side of the creek, measuring from the centre of the creek

Dry claims shall be 100 feet square, the commencement of dry claims shall be the terminus of gulch claims and to be numbered to correspond with the numbers of gulch claims lying opposite.

Lead claims shall be 100 feet in length running in the supposed direction of said leads and 50 feet on each side of said lead with permission to angle or range for the locality of said lode.

ART. 6 In case of dispute it shall be the duties of the President or Secretary to summon jurors of which there shall be nine and each contestant shall have the right to strike off one alternately until but three are left who shall hear all evidence and render their verdict accordingly which decision shall be final

ART. 7 Where discoveries have been or may be made, the discoverer shall in all cases be entitled to one discovery claim besides a preemption claim providing the discoverer has announced that, after duly prospecting and testing the same and that claims lawfully taken after discovery either by proxy or in person shall be the same as taken in person

ART. 8 That all claims which may have been preempted, purchased or obtained by discovery shall on receiving a certificate of record of the same hold good without improvement until the 4 day of July next 1860 and the books shall be a standing proof of the same.

ART. 9 That no claim shall be considered or recognized as valid unless marked and staked describing to what class or description of claims it or they may belong as heretofore prescribed by law.

ART. 10 The Secretary shall be requested to give certificates of record and number each claim each way from discovery and designate the same in said certificates

ART. 11 Each miner having the use of water on his or their claims shall have the priority of right

No 12 Each juror or witness refusing to comply with a summons shall forfeit his claim.

ART 13 Each juror or witness which may be retained shall receive 2 dollars for each trial.

ART 14 No miner shall be entitled to a vote in this district unless he or they hold claims within the limits of this district.

ART 15 Those laws may be altered or amended by calling a miners meeting on three days notice and receiving a two thirds vote of the legal voters of this district.

At a meeting of the miners of the Illinois District on Friday the 17 day of May 1860 at 4 o,clock p. m. called for the purpose of amending the laws of this district the meeting being called to order, Col. Norris in the chair

On motion of W. A. Smith seconded by H. Hill that a committee of five be appointed to draft the necessary amendments and report within an hour, submitting report for adoption or rejection of the meeting, motion carried.

The following gentlemen were appointed as a committee for the above specified purpose, W. A. Smith, Hiram Hill ——— Nesbitt W. H. Harlow and D. H. Thompson

The committee were then sent out and after an absence of one and one half hours returned and D. C. Thompson chairman of the committee notified the meeting that their committee were ready to report.

On motion of O. A. Lee and seconded by George Brown that the meeting hear the report of the committee, motion carried.

The chairman of the committee then read the following report

We the committee appointed to draft amendments to the existing laws of Illinois Mining District respectfully beg leave to report the following code of amendments.

ARTICLE 1. All records and all certificates thereof shall be considered valid whether issued by the former or the latter organization when they do not conflict in which case priority of record and preemption with bona fide intent to mine and proof thereof, shall be considered valid

ART 2 The officers of this district shall be a President and Recorder whose term of office shall be six months * * *

ART 3 The duties of the President shall be to preside at all regular meetings to call or authorize the Secretary to call meetings etc * * *

ART 4 The duties of the Secretary shall be to keep a faithful record of all proceedings claims, sales, conveyances etc

ART 5 The size of claims shall be the same as described in the original records and shall be numbered and described accordingly.

ART 6 No claim shall be considered preempted until the stakes are stuck with boundaries and dates thereon in presence of at least one witness a record of which shall be made in five days after the time of staking the claim and no sale or claim shall be considered valid unless signed by two witnesses

ART 7 All claims made valid by the old laws till July 4 shall be respected and considered valid unless some one belonging to the co. is in the mines or vicinity or that there is sufficient evidence that the party claiming will not be present on the 4th day of July.

ART 8 (This art is amended on page 164) After the first day of June next every claim except those which cannot be worked for want of water and those exempted in art 7 shall be faithfully worked at least three days in each week unless prevented by sickness or unavoidable accident and a notice posted on the claim to that effect and stating where the claimant may be found

ART 9 In case of dispute nine disinterested persons shall be summoned and each party shall have the right to strike off one alternately until but three remain who shall try the case and in case of dissatisfaction the aggrieved party may appeal to a jury of 12 disinterested miners or a miner's meeting who shall try the case and their decesion shall be final

ART 10 In all cases of jury trials the parties shall deposit the amount of costs with the officers or give security therefer payable in twenty days from date thereof.

ART 11 Any witness or juror refusing to attend a trial without a legal excuse which shall be determined by a vote of the miners shall forfeit his claim and for attendance on trial they shall each receive the sum of two dollars.

ART 12 Any five miners of this district may call a miners meeting (should the president refuse by pasting public notice at least 3 days previous in 3 different places in this district specifying the object of the meeting.

ART 14 In case of discovery the discoverer shall be staked numbered and recorded accordingly.

ART 14 In the absence of the President the Secretary shall act in his place and in absence of the Secretary the President shall act in his stead until the next regular meeting when other officers shall be elected if their absence is known to be final

ART 14 These laws may be altered or amended by a two thirds vote of all the legal miners of this district

The above report was unanimously adopted

On motion of O. A. Lee, seconded by H. Hill the acting recorder was requested to sign the name of the President to certificates of record then his own name as acting recorder Motion carried

On motion all certificates issued by the acting secretary heretofore without the signature of the President shall be considered valid; motion carried

Meeting adjourned *sine die*

D. H. THOMPSON, *Acting Recorder.*

Amendment (Page 164)

At a miners meeting held at the Norris camp on Thursday July 26 1860 the meeting was called to order with J. H. Meyer ac'ng pr'st in the chair; the following amendment was made to Article 8 in the new law by a committee of three H Hill, Mr Mason and W. B. Riddle which was unanimously adopted

ART 8 That article eight be amended so as to read that when any miner or miners that owns more claims by purchase or otherwise, that it shall be sufficient for said miner or miners to work on any of said claims three days in a week

Moved by H Hill and seconded by—that the following article be made concerning lead mines which was unanimously adopted

ART 15 That all lead claims in this district shall hold good without further improvements until the first day of August A. D 1861

JULY 27 I hereby certify that the above is a true statement of the meeting

J. H. RUSSELL *Sec'y Rec'd*

CLEAR CREEK COUNTY.—CHICAGO CREEK OR JACKSON MINING DISTRICT.

ROCKY MOUNTAIN *January A D* 1860

We the miners of Chicago Creek find ourselves destitute of an organized Mining district—and a recorder or any record

Whereas we have held a meeting to organize elect a Recorder and adopt laws and resolution for the coming future as new discoveries is being made and no one for to record the claims

Whereas we elect George P Boyer Recorder of the Chicago Creek & Jackson district and adopted the following laws

J A P Smith was elected justice of the peace of Chicago Creek Jackn dist and John Pulver elected sheriff of the aforesaid district

SECTION I The officer this mining district shall be a president shereiff and Recorder the latter to act as secretary by virtue of his office

SEC II In the absence of either of the above officers the vacancy shall be filled pro tem appointed by the miners at a miners meeting or by the President who is empowered to appoint pro tem Sheriff and Recorder when the vacancy in these offices has not been filled by the action of the miners

SEC III It shall be the duty of the recorder to take charge and safely keep all records of the district and all records made necessary by law shall be by him recorded in a book provided by him for that purpose

SEC IV The book of the record shall be open alway to the inspection for the public and shall not be taken from the hands of the recorder but any person shall be permitted to copy any record at any seasonable time

SEC V The recorder if requested by either party shall make out record of the trial of the case recording all writs notices &c issued during the trial together with all the proceeding which are mentioned in the case 75 cts each paper The fees of the recorder shall be for entering such record the record of the district shall be 75 cts and for all certificates copies of such records or of any other records shall receive a fee of 75 cts for every one included his official certificate to the sum above mentioned The attestation of the President under his propper signature shall be attached to all certificates copies of the record of the trial of cases.

SEC VI The sheriff shall have power to serve notices summons parties or witnesses put parties in possession of property preserve the peace by quelling riotous proceedings and perform such other duties as he may by law by discreet to perform said Sheriff is authorized if

requested in the district of his official duties to make a requisition upon such number of the citizens of the district as he may deem necessary to enforce the law of the district the Sheriff fees shall be for every subpœna 50 cts per sub and 25 cts if over 1 witness and when he has the Jury in custody

SEC VII Sheriff shall return all writs of process to the president with the date and names of service endorsed thereon said services and papers connected with the trial of case to be by the President handed over to the recorder for safe keeping

SEC VIII The President shall receive the sum of fifty cents per issue the same per hour presiding at each trial and making out the papers

SEC IX The jury shall be entitled to the sum of twenty five cents per hour

SEC X The officers of the district shall hold their respective offices for the term of one year and until their successors shall be elected and shall hand over to their successors in office all their recording papers &c appertaining to the official business of the district

ARTICLE 1 Any one discovering Gulch or lead Claims shall be entitled to one for discovery and one as a preemption claim Provided he has represented to work on the said claims ½ day out of every ten days or if any company owning joining claims can work on one of the aforesaid claims which will represent all of these claims

ART 2 Every bar claim shall contain 50 feet front running back 200 feet lead claims containing 100 feet Hill claims containing 50 feet by one hundred any one purchasing claims can hold the said claims by showing deeds and transfers of the said claims

ART 3 Claims not complied with article the first will be subject to be taken by any one who sees cause

ART 4 Any claims upon record shall stand good until the 15th day of June 1860 without a representative

ART 5 Any difficulty arising between parties can be settled by the miners if so desired

ART 6 Any one arrested for theft and found guilty shall receive not over thirty nine lashes for the first offence and banished from the mountains and for the second offence if found guilty he shall hang by the neck until dead

ART 7 Any one can hold two of each kind of claims for discovery 2 of gulch claims 2 of lodes hill & bar claims or one as discoverer and the other preemption

ART 8 The recorder shall receive a fee of fifty cents per claim for recording

ART 9 Resolved that this district shall extend down est as far as Soda creek running upon the north side of Clear creek as far as the upper end of Paynes bar and the extent of it south west four miles This the first day of January 1860

A miners meeting held on the 25th day of April A D 1860 For the purpose of amending and regulating the laws of Jackson District Chicago Bar

Whereas W H Guilford was unanimously chosen chairman and George P Boyer secretary of this meeting the house was organized a motion was made & carried Relative to creek or River Claims that all the said claims shall be 100 feet up the stream from each side of the bar claims not intefering with the latter A Motion was made to investigate the new and old laws and upon investigation found them some what conflicting A motion was made and carried that the old laws should be abandoned but all claims upon record under the old laws should stand good until the appointed time expired which was the 15th day of June And then all claims not complied with according to law of this district will be liable to be forfeited And on Motion the meeting adjourned

GEO P BOYER. *Sec.*

MINUTES OF A MINERS MEETING HELD BY THE MINERS OF JACKSON DISTRICT HELD AT THE CABIN OF I A CLARK IN SAID DISTRICT ON SATURDAY EVENING JUNE 7 A D 1861

On motion Mr Orr was called to the chair and J M Andre was chosen secretary

The following business was attended to to wit.

On Motion Mr Shields was removed from the office of Recorder for the Jackson District by the unanimous vote of the meeting Mr Crenshaw was then nominated to fill said office & a vote of the meeting was then taken and resulted in his election.

The following additions to the laws of the Jackson district were proposed by Mr Clark which were read and adopted by the meeeting article by article

ARTICLE I No post house nor tent shall be allowed to stand in this district that deals and traffics in spiritious liquors

ART II Fraud shall vitiate any contract wherever it makes its appearance

ART III Any person convicted of perjury shall receive 25 lashes upon the bare back and the sheriff shall perform said duty

ART IIII One partner of any Company shall not have the power to sell any claim in the absence of the company without he shall have power of attorney or a written agency

On Motion of Mr Clark the vote for Recorder was recinded and Mr Crenshaw & Dr Byrne were nominated to fill the office of recorder for Jackson district

A vote was then taken which resulted in the election of Dr Byrnes

On motion meeting adjourned

GRAYSON ORR *President*

J M COLE *Sec.*

Entered upon record this 11th day of June 1860 by A. J. Clark.

SECTION I The boundaries of Jackson District shall be as follows to wit the northern line of Jackson district shall begin at a point in the middle of Clear Creek opposite the middle of the mouth of Soda creek extending up the middle of Clear Creek from said point as far as the upper end of Paynes Bar extending from thence five miles southwest and from thence extending in a paralell line with the course of Clear creek to the middle Branch of Soda Creek and extending down the middle of said branch to the place of starting

SEC 2 The officers of this district shall consist of one Justice of the peace one sheriff & one recorder

SEC 3 In the absence of all of the above officers the vacancy shall be filled pro tem by the miners at a miners meeting if the Justice be present he shall fill the vacancy by appointment

SEC 4 It shall be the duty of the Justice to preside at all Miners Meetings & shall try all causes brought before him according to law & evidence he shall keep a record of all cases tried before him in a book provided by him for that purpose The Justice shall issue

warrants subpœnas veniris executions attachments garnashees and all other papers necessary to carry out the law The Justice shall have power to administer oaths take acknowledgments and if necessary solemnize marriages No paper issued by the Justice shall be thrown out of court for the want of form Technicalities shall be barred from all courts The Justice shall have power to fill vacancies either in the sheriffs or recorders office In the absence of the Justice the recorder may act with full power of the Justice the Justice shall deliver to his successor in office all books and papers pertaining to his office

Sec V It shall be the duty of the Sheriff to serve all papers put into his hands and return the same to the proper officer—making the necessary return on the back of the same how served he shall attend to the selling of property taken by exicution after giving three days notice by posting three notices in public places in the district The sheriff shall return all executions within fifteen days he shall be in attendance of all suits and shall be a general peace officer with full power to force assistance in case of riots he shall have charge of all prisoners and carry into execution all sentenances and decisions of the court

Sec 6 It shall be the duty of the recorder to take charge of and safely keep all records of the district and all records made necessary by law be by him recorded in a book provided by him for that purpose The book of records shall be open to the inspection of the public & shall not be taken from the hands of the recorder Any person shall be permitted to copy any record at any seasonable time It shall be the duty of the recorder to record all deeds claims mortgages bills of sale articles of Copartnership the recorder shall also act as secretary at all miners meetings by virtue of his office

Elections

Sec 7 All elections for officers shall be by ballott the board of electors shall consist of three Judges and one Clerk the Justice being one of the Judges & two men to be chosen by the miners present the recorder acting as clerk in all elections the person receiving the highest number of votes for any office shall be declared elected & in case of a tie vote they shall decide by lot Any person elected to any office shall go before the Justice and be qualified within three days for all elections there shall be three days notice given by posting notices of the same in three public places in the district one of the said notices being on the recorders office door no person shall have a vote in this district unless he shall have been living in the district five days next preceeding an election

Sec 8 Property exempt from execution every man having his family in the mines shall have exempt from execution all his family wearing apparel household goods & provisions for one month one cow and mining tools consisting of one pick one shovel & one pan and one half of the claim on which he is working with the necessary tools for working the same every single man or man not having his family in the mines shall have exempt from execution all his wearing apparel camping furniture and one pick 1 shovel & 1 pan and provisions for ten days & in all cases one rifle or shot gun to each man owning the same shall be exempt from execution

Sec 9 Any party can have a trial before a Jury of five any party feeling agrieved by the diciseon of a Jury of four or of the Justice can make appeal to a Jury of twelve

Sec 10 Any party having trial by Jury shall deposit the Jurymans fees with the justice or give approved security for the same in all cases of appeal the appelant shall give approved security for the costs to the Justice the plaintiff shall give the defendant not less than two days notice nor more than five All appeals shall be called for within three days from the trial and the appelant shall give the defendant not less than three days notice nor more than ten The plaintiff must in all cases file a written plea before the hour of trial

Sec 11 The defendant may either file a written plea or deliver it orraly when orally the Justice shall take it down either in his docket or file it with his other papers belonging to the case The plaintiff to a suit may have the privilidge of withdrawing his suit at any time before the trial commences by paying all costs that may have accrued Suit for attachment shall be tried forthwith Suit by garenshee shall be tried the same as in other causes

Sec 12 Parties wishing to reference a case may go before the Justice & he shall only take cognizance of the same excepting he may compel the attendance of witnesses before said referees all trial before referees shall be final

Sec 13 In all cases the Jury shall be empannelled by the sheriff subject to three peremptory challenges from each party & as many other challenges as may be necessary for a cause

Sec 14 Any number of miners not less than five and living in Jackson district wishing to hold a miners meeting may make their wish known to the recorder whose duty it shall be to write three notices to that effect and post one up on his office door & the other two in the most conspicious place in the district

Sec 15 No Miners Meeting shall be held without giving at least twelve hours notice

Sec 16 An election shall be held on the first monday in July 1864 for the election of officers & on the second Monday in June annually thereafter

Article 1 All claims shall be as follows to wit lead claims shall be fifty feet wide and one hundred feet on the lead in length Dry or hill Claims fifty by one hundred feet Bar claims fifty feet on the creek and running two hundred feet back Water Claims one hundred feet in length & running from bank to bank water claims are not to interfere with bar claims Gulch claims are to be 50 by 100 ft along the gulch Building lots shall be 50 by 100 ft in area

Art 2 Any person discovering new lodes dry or hill diggins bar or gulch claims or water claims shall be entitled to one as discovery & one as preemption

Art 3 Repealed

Art 4 1st clause repealed

All lode claims shall be worked as soon as machinery can be obtained and afterwards every four days except in case of sickness and all dry or hill claims as soon as water can be provided and every ten days thereafter water claims hold good for one year dating from July 1 1860 Mill previledges hold good by putting one hundred dollars worth of work on them every six months until completed Mill previledges are to be Six hundred feet more or less up or down the creek and are not to be encroached upon by other mills

Art 5 Company or partnership claims that are adjoining may be represented by one of said company he doing sufficient work on any one of said claims to represent all In case of sickness a person shall be excused from working his claim until his health will permit

Art 6 All claims shall be recorded within three days after staking the working of claims is intended & does only mean to include the mining season which shall be from the fifteenth of June to the first of November any person leaving his claim during the mining season more than ten days shall forfeit his claim unless detained by sickness

Art 7 All ditches shall have the right of way across all claims

Art 8 No person shall mine closer than six feet of any ditch either by sluicing or drifting without fluming the ditch

Art 9 No person shall be allowed to obstruct wagon road or public highways by mining or otherwise

Art 10 Any person convicted of perjury shall receive 25 lashes on the bare back, & sh shall perform that duty

Art 11 Fraud shall vitiate any contract in which it makes its appearance

Art 12 Any person convicted of theft shall be punished in accordance with the verdict of a Jury of twelve

ART 13 Any person drawing a pistol or other deadly weapon intent to kill or commit other bodily injury shall receive not exceeding thirty-nine lashes on the back and be fined in any sum not exceeding five hundred dollars as a Jury of twelve may determine

ART 14 Any person obstructing ditches or public roads shall be fined double the cost of repairing the same which shall be collected the same as action for debt but any person obstructing ditches or roads shall have a reasonable time for repairing the same

ART 15 One partner of any company shall not have the power to sell any claim in the absence of the company without he have power of attorney or a written agency from the Company

ART 16 Any person maliciously pulling up any stake that is lawfully standing or defacing names on said stakes shall be fined in any sum not exceeding twenty dollars and be liable to the injured party for double the amount of damage

ART 17 Any person mining under any building shall be liable to the owner of the building for any sum assessed by a Jury of twelve

ART 18 No title to claims shall be known or recognized in this district except what the records provided however that this article shall not be so construed as to bar persons from claims on which they are working continuously from day to day whether they be recorded or not

ART 19 Witnesses failing to appear at court after they have been lawfully summoned shall be fined five dollars & be liable to the injured party to double the amount of damage sustained

ART 20 No person shall be allowed to record claims in this district in the names of absent parties

ART 21 The fees of the Justice shall be two dollars for hearing each case of less than six hours duration & sixty cents per hour for every hour over six for rendering Judgment on note of hand without hearing one dollar if contested his fees shall be the same as in other cases for subpœnas venires garnishees & attachments twenty five cents each warrants and all other papers issued fifty cents each Jury mans fees shall be fifty cents per hour witness fees fifty cents per hour The Sheriffs fees shall be for subpœnas 25 cts for every person named therein & ten cents per mile going and returning for serving warrants one dollar for advertising fifty cents for selling one dollar for attending court fifty cents per hour The recorder shall receive fifty cents for recording each claim and the same for deeds mortgages articles of copartnership & bills of sale

ART 22 All laws on record conflicting with these to be declared null & void

ART 23 These laws shall be in force from and after their adoption

ART 24 These laws may be altered by a majority of two thirds of the voters at a miners Meeting

ROCKY MOUNTAINS JACKSON DISTRICT

At an anual election held at the recorders office in Jackson District on Saturday July 7 1861 there were 155 ballots cast for the office of Justice of the peace of which D Robinson Received 153 votes and Chas Smith 2 For the office of Recorder there were cast 155 Ballots of which W B Lawrence received 88 votes & J H Young 65 —— 2 For the office of sheriff there were cast 155 ballots of which James Carver received the whole no of votes I duly cast and deliver return There were three double ballots rejected.

W P POLLOCK
ALEX DOWD JR
W B LAWRENCE
Judges

Clerks attest

G A BYRNES

The above named elected officers were properly & legally qualified & entered at once upon the duties of their respective offices

Original Art 3 repealed July 28th & is as follows

All persons can hold as many claims as they see fit to purchase Art 25 all bar or dry claims shall be worked around with pick or shovel and staked at corners hereafter previous to recording

GILPIN COUNTY.—GREGORY MINING DISTRICT.

LAWS OF GREGORY DISTRICT

At a meeting of the citizens of Gregory District held in Mountain City on the 11th day of February A. D. 1860 at 7 o'clock p. m. a committee cosisting of George W Brizee William H. Bates and B. F. Chase was appointed to codify and amend the laws of said District and to report the laws so codified and amended in a meeting to be held at the same hour and place on the 18th inst

In accordance with the duties imposed upon them the committee report the following acts regulating the rights of persons and of property and the manner in which those rights may be preserved

AN ACT to provide for and define the future boundaries of Gregory District

SECTION 1. *Be it enacted by the citizens of Gregory District in convention assembled,* That it shall be the duty of the Recorder of this District on or before the 22nd inst to make and cause to be posted three notices in each of the Districts adjoining this District wherein the citizens thereof shall be invited to send three delegates each to attend a meeting to be held at the City Hall in Mountain City in Gregory District on the 1st day of March next following at 2 O'clock p m. that the boundaries of this and adjoining Districts may be permanently and difinitely defined with accuracy and certainty.

SEC 2 *Be it further enacted* That after the boundaries of this District shall be permanently defined and fixed as provided for in Section one no change shall thereafter be made in its boundaries without the consent of the citizens of this District

SEC 3 *Be it further enacted* That if any persons shall wish to change the boundaries of this District or erect another within the same or annex any territory before that time not belonging thereunto a public meeting of the citizens of this District shall be called and ten days notice of the same given by posting twelve notices of said meeting in as many conspicuous places. If the petition for a new District or change of boundary as applied for in this District be granted it shall not take effect for ten days thereafter

Approved February 18 A. D. 1860

AN ACT defining Claims and Regulating the title thereto

SECTION 1 *Be it enacted by the citizens of Gregory District in Convention assembled* That all mining leads of gold or any other precious or useful metals and all mining and other claims shall be held under and defined under the provisions of this act

SEC 2 *Be it further enacted* That the term "claim" as used in this district shall be construed to mean when applied to a lead one hundred feet running the length of the same and fifty feet in width when applied to a gulch one hundred feet following its meanderings and extending from bank to bank when applied to patch or placer diggings one hundred feet square when applied to tunneling claims the entire distance intended to run the same for discovery purposes as shown by record and the stake at the mouth of the tunnel when applied to a quartz mill claim the distance of two hundred and fifty feet square when applied to a ditch claim the entire distance staked out which they intend to run the same as shown by the survey and stakes when applied to a water claim the exclusive use to use water for mining purposes upon any ditch or stream not exceeding in distance two hundred and fifty feet when applied to a farming or ranch claim one hundred and sixty acres when applied to a building claim forty feet front and one hundred feet deep

SEC. 3. *Be it further enacted,* That no person shall have more than on lead gulch patch or placer claim in this district except by purchase or discovery

SEC. 4. *Be it further enacted.* That no person shall hold more than one water building farming or ranch claim except by purchase

SEC. 5. *Be it further enacted,* That each discovery claim shall be marked as such and all purchased claims shall be recorded and in either case they shall be safely held whether worked or not

SEC. 6. *Be it further enacted,* That any claim or claims now held by purchase or discovery if abandoned for ten consecutive days after being staked off shall be forfeited to any person or persons who shall take up the same and work them and not abandon them as aforesaid

SEC. 7. *Be it further enacted,* That no claim shall be regarded as good and valid unless staked off with the owners name giving the length width and date when the same was made and when held by a company the name of each member thereof shall conspicuously appear.

SEC. 8. *Be it further enacted,* That when members of a company consisting of two or more shall work one claim of the company the rest shall be considered as worked by putting a notice of the same thereon

SEC. 9. *Be it further enacted,* That all mining claims which have been or may be taken up before the 1st day of June next need not be work until that date provided however that the person who so has or shall take up a claim as aforesaid shall file with the recorder a statement thereof wherein he shall describe the claim and aver that it cannot be worked profitably either from want of water or proper machinery until the first day of June next at which time he believes the the said water or machinery can be procured

SEC. 10. *Be it further enacted,* that in all cases when parties shall have complied with the law as far as possible priority of claim when honestly carried out shall be respected

SEC. 11. *Be it further enacted,* That all contracts of partnership or agreements whereby an interest in claims or lands are concerned and all contracts relating thereto hereafter made shall be in writing and give the names and interests of each of the parties and when a partnership the firm name also and the same shall be recorded before the 1st day of April next or the said contract shall not be regarded as binding upon or affecting any but the original parties in any transaction whatever

SEC. 12. *Be it further enacted,* That all deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of claims and bonds shall be witnessed by at least two disinterested witnesses and recorded

SEC. 13. *Be it further enacted,* That when any miner shall hold both a gulch and lead claim if one be worked the other may be held without working by recording the same

SEC. 14. *Be it further enacted,* That any person owning a quartz mill claime upon which he has a mill or is preparing to put one may claim the right to cut a race or ditch from any stream to bring water to said mill not interfering with vested rights

SEC. 15. *Be it further enacted;* That all claims held by virtue of laws heretofore in force shall be regarded as vested property and no person shall be disturbed in the possession thereof

SEC. 16. *Be it further enacted.* that when water is claimed for gulch and quartz mining purposes on the same stream neither shall have the right to more them one half unless there shall be insufficient for both then priority of claim shall determine

SEC. 17. *Be it further enacted,* That if two or more parties wish to use water on the same stream or ravine for quartz mining purposes no person shall be entitled to use more than his proportionate share of water but in case there shall not be sufficient water for all priority of claim shall determine the right to such water

SEC. 18. *Be it further enacted,* That when water companies are engaged in bringing water into the mines they shall have the right of way secured to them and may pass over any claim road or ditch provided the water shall be guarded so as not to interfere with any vested rights.

SEC. 19. *Be it further enacted,* That in other questions not settled by the provisions of this act arising out of the rights of riparian proprietors shall be divided according to the common law

SEC. 20. *Be it further enacted,* that claims of every kind except discovery mining claims must be recorded unless the same are continuously worked or used according to law

SEC. 21. *Be it further enacted,* That the rules and regulations observed in mining regions within the United States relating to digging for gold under building lots upon ranch farming and other claims shall be observed in this District

SEC. 22. *Be it further enacted,* That if any person shall locate a tunnel in this District for the purposes of discovery he shall first file a specification of the same with the recorder whose duty it shall be to record the same upon payment of fees. The said specification shall state the place of commencement and the termination of the said tunnell together with the names of the parties interested therein. A four square stake shall be placed on its mouth having written thereon the same things hereby made necessary to record

SEC. 23. *Be it further enacted,* That any person or persons engaged in working a tunnel provided he or they shall comply with the requirements of the law shall be entitled to two hundred and fifty feet on each side of all leads discovered in consequence of the same and such parts of leads as they are entitled to in consequence of said discovery shall be held as discovery claims provided however they do not interfere with any vested rights and if it shall appear that leads are staked off on the line of said tunnel so that the required number of feet cannot be taken near to the same they may be taken on any part thereof wherever the same may be found vacant

SEC. 24. *Be it further enacted,* That if the person or persons locating a tunnel shall fail to work the same for twenty consecutive days after the first of July next the shall forfeit their claim to said tunnel but not to the claims the have discovered and held by virtue of discovery before the time of forfeiture

SEC. 25. *Be it further enacted,* that the person or persons working a tunnel shall after the same is legally located have the priority of right to all leads discovered on the line of the tunnel from the recorded line of its mouth to its terminus and shall have the right of way through all leads which may lie in the course said tunnel is recorded staked out and worked

Approved February 18th 1860

AN ACT In Relation to the Officers of Gregory District—Their Duties Term of Office and Fees

SECTION 1. *Be it enacted by the citizens of Gregory District in convention assembled,* That there shall be elected in this District upon the first Monday of June in each year the following officers who shall each hold their respective offices for the term of one year unless they shall sooner die resign remove from the District or be removed from their offices for misconduct by the citizens of this District viz a President a Judge of the Miners Court and a Recorder who shall be ex-officio Secretary and Treasurer of this District.

SEC. 2. *Be it further enacted,* That it shall be the duty of the President of the District to preside at all public meetings of the citizens of District when called for purposes relating to public business and to preside at the trial of causes in the Miners Court when required by law

SEC. 3 *Be it further enacted,* That it shall be the duty of the Judge of the Miners Court to preside at the trial of causes and at public meetings in the absence of the President and perform such other duties as the law requires

SEC. 4 *Be it further enacted* That it shall be the duty of the Recorder to safely keep the books and records of the District and to record all proper papers upon payment of his fees to act as Secretary of the District at public meetings of the District and to keep all moneys paid into his hands by the Judge of the Miners Court to be paid over as directed as directed by the citizens at some public meeting legally called

SEC. 5 *Be it further enacted,* That the Sheriff of Arapaho County shall be ex-officio Sheriff of this District and shall have the same power he has by virtue of his office under the laws of Kansas

SEC. 6. *Be it further enacted,* That the fees of the Recorder shall be one dollar for each claim or instrument in writing recorded and such other fees for District business as the citizens shall allow. The Sheriff may charge double the fees allowed by the laws of Kansas and the Judge of the Miners Court five dollars for presiding at each trial and double the fees allowed by the laws of Kansas for making out the papers proper for him to make

SEC. 7 *Be it further enacted,* That every person shall be a voter in this District who owns a claim therein which is recorded

SEC. 8. *Be it further enacted,* That the officers of this District shall continue to hold their said offices until the next annual election subject to the provisions hereinbefore named

SEC. 9. *Be it further enacted,* That the Justice of the Miners Court shall hereafter be known as the Judge thereof

Approved February 28 1860

AN ACT Establishing a Miners Court and Regulating its Jurisdiction

SECTION 1. *Be it enacted by the citizens of Gregory District in Convention assembled,* That a regular term of Court to be known as the Miners Court shall be held in this District in some convenient and proper place upon Monday of each week and all writs to be made returnable at said term shall be served before the Friday next preceeding if not so served they shall be made returnable at the second term after service. Nothing herein contained shall be so construed as to prevent the trial of criminals at any time

SEC. 2. *Be it further enacted,* That the officers of said Court shall consist of a Judge a Clerk the Sheriff of Arapahoe County and his deputies and the attorneys of said court regularly admitted as such

SEC. 3. *Be it further enacted,* That it shall be the duty of said Court to sign all writs issuing out of said Court either by himself or his Clerk to make all transcripts of Judgment required on payment of his fees. to enter Judgments and issue executions and pay over to the proper parties moneys collected on such judgments and executions to try all criminals and pay over to the treasurer all money he may receive for the District for fines and judgments and perform such other duties as necessarily appertain to his office

SEC. 4. *Be it further enacted,* That if the Judge of said Court shall not be able to attend any trial or shall be disqualified from any cause to try any suit or if there shall be more business than the Court can attend to or if any person shall make his affidavit in writing that he does not believe he can have a fair and impartial trial before the said Judge of said Court or if the said Court shall be interested in the event of any suit either as Plaintiff or Defendant or with either of them in any manner the President of the District shall preside in the miners court at such trial

SEC. 5. *Be it further enacted,* That the Miners Courts shall have equity as well as law jurisdiction and may grant writs of injunction upon motion in all proper cases and all other motions upon proper cause shown to be supported by affidavits alone and do all such other acts as a court of equity has power to do

SEC. 6. *Be it further enacted,* That the Miners Court shall have power to fine for contempts in a sum not exceeding fifty dollars and may issue execution thereon the same as upon a judgment

SEC. 7. *Be it further enacted,* That the said Court shall have the power to appoint its own clerk whenever it shall be deemed necessary and the said Clerk shall have such power as a Clerk of record has by the laws of Kansas relating to matters that may come before the Court in consequence of some process issued therefrom

SEC. 8. *Be it further enacted,* That the Jury for each term of Court shall be drawn upon the Thursday next preceeding each term in the following manner: The Sheriff or his deputy shall place the names of one hundred good and suitable men in a box prepared for that purpose and the Judge of the Court or the Clerk thereof shall draw therefrom the names of eighteen men who shall be summoned to act as jurors for the next succeeding term of Court When necessary the Sheriff may summon talismen but no person shall serve as juror for two successive terms of Court

Approved February 18 1860

AN ACT In Relation to the Practice in Miners' Court.

SECTION 1 *Be it enacted by the citizens of Eureka District in convention assembled.* That if any person shall wish to commence a civil action in the Miners Court of this District he shall file with the Judge or Clerk thereof a statement in writing setting forth his grounds of Complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language such statement if in equity shall be in the nature of a petition and if in law of a complaint as the case may be upon the filing of either a petition or a Complaint as aforesaid the Court or the Clerk thereof shall issue a writ of Summons to be served upon the Defendant to appear and answer at the time therein named or judgment will be taken against the Defendant by Default. If the relief demanded be for a sum of money the amount shall be stated in the summons if for a sum of money and other relief the summons shall state in substance that if the Defendant do not appear and answer at the time therein named Judgment will be taken against him by Default for the sum of money demanded and such other relief as to the Court may seeme meet If the relief applied for shall not be for any sum of money the summons shall ask judgment for the relief demanded in the Complaint if at law or the petition if in equity

SEC. 2. *Be it further enacted,* that the Defendant may at any time before the time of trial at law of any cause entered in the Miners Court file his answer or demurrer upon either of which the Plaintiff may join issue and if an answer be filed containing new matter irrelevant to the issue it must be denied or avoided by the Plaintiff in his reply and all matters not denied or avoided by one pleading subsequent to another shall be taken as confessed and true

SEC. 3. *Be it further enacted,* That all pleading subsequent to the petition in equity shall be the same as used in the United States Courts of Equity and the term of three day shall be granted for the filing of each pleading subsequent to another until the issue is made up

SEC. 4. *Be it further enacted,* That all pleas in equity shall be verified and no remedy shall be allowed in equity where the same can be had at law

SEC. 5. *Be it further enacted,* That in all cases of the foreclosure of a mortgage or lien of any kind upon a claim the equity of redemption shall not extend beyond thirty days

SEC. 6. *Be it further enacted,* That in cases of judgment for partition of claims in cases of joint owners three disinterested commissioners shall be appointed by the Court who shall effect such partition

SEC. 7. *Be it further enacted,* That the rules of evidence as admitted in the United States shall be observed in the Miners Court with the exception that either party may file his affidavit in Court at any time before the commencement of a trial wherein he may depose to any facts relevant to the issue and shall thereafter depose in the same that none of the foregoing facts contained in such affidavit can be proven by any witness whose testimony it is possible to procure either by deposition or by the usual process of this Court to compel the attendance of witnesses when the affidavit may be read in evidence. The adverse Party may have the right to rebut or explain the said facts so set forth by affidavit or depose to any facts that may legally affect the matters deposed to by his opponent which affidavit may also be read in evidence

SEC. 8. *Be it further enacted,* That depositions may be used in this Court in evidence provided the witness is sick and unable to attend the place of trial about to leave the county or is out of the jurisdiction of this Court. If to be taken within the County of Arapahoe notice shall be given to the adverse party of the time and place where the said deposition is to be taken if out of said County no notice need be given

SEC. 9. *Be it further enacted,* That no cause shall be continued unless upon affidavit of a party or his Attorney of the absence of a material witness whose evidence is material to the issue as he verily believes and that the said party cannot safely proceed to trial without the evidence of said witness which he believes he can procure at some future time or for some other good and sufficient cause

SEC. 10. *Be it further enacted,* that in all cases of attachment and replevin the practice prescribed by the laws of Kansas shall be observed and when in the case of attachment the Defendant has left the Country or keeps himself secreted within the same so that process cannot be served upon him publication in some public newspaper printed in the County for two weeks shall be deemed sufficient notice. The order of publication shall not be granted by the Court unles a summons has been returned by a proper officer which return shall show that he has made diligent search and inquiry and cannot learn that the Defendant is in this County or that he cannot find the Defendant and believes that he keeps himself secreted to avoid the service of summons together with other evidence tending to make either of said facts appear

SEC. 11. *Be it further enacted,* That garnishee process may issue as a part of the original writ to be served on both Defendant and Garnishee or separately or it may be issued after execution is returned unsatisfied and in either case if the Garnishee shall pay the demand over to the Defendant after legal notice he shall still be held liable to the amount of Plaintiffs Judgment and costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

SEC. 12. *Be it further enacted,* That all special proceedings in the Miners Court shall be conducted as prescribed in the statutes of Kansas for the year one thousand eight hundred and fifty nine as far as consistent with the laws and local affairs of this District and all motions relating to such proceedings shall be sustained by affidavits alone

SEC. 13. *Be it further enacted,* That new trials of all causes which have been or may be tried shall be granted upon the same terms or by the rules of the common law and it shall be discretionary in all cases with the Court to grant or reject the application

SEC. 14. *Be it further enacted,* That no debt or demand of any nature shall be collected by suit in this Court which has not originated either in coming to this mining region or since the arrival of such debtor within the proposed limits of Jefferson Territory

SEC. 15. *Be it further enacted,* That in all cases where the liability of persons in actions founded upon contract or in mixed actions is not pointed out and defined by the laws of this District the common law rules shall apply as to such liability

Approved February 20 1860

AN ACT Relating to Trial and its Incidents.

SECTION 1. *Be it enacted by the citizens of Gregory District in Convention assembled,* That in all cases where a civil action is hereafter commenced in the Miners Court the Plaintiff shall file a bond with one or more good and sufficient sureties conditioned to pay all costs which may be taxed against him in case he should fail to recover Judgment in said suit

SEC. 2. *Be it further enacted,* That in case the costs cannot be collected against the Defendant in any cause wherein the Plaintiff shall recover judgment the said Plaintiff shall be held responsible for all costs he shall make in said suit

SEC. 3. *Be it further enacted,* That upon the return day of a summons if either party shall call for a jury he shall first advance the fees at the rate of one dollar and a half for each juror who shall try the cause and in case he shall prevail in the cause the fees so advanced shall be taxed against the adverse party but in case no jury is called for the cause shall be tried by the Court

SEC. 4. *Be it further enacted,* That when a jury is called for the Court or Clerk shall call nine persons from the jurors summoned and each party shall strike off three until but three remain who shall proceed to try and determine said cause

SEC. 5. *Be it further enacted,* That if any person shall enter an appeal from the jury of three he shall give notice thereof upon the same day the first verdict was rendered either by giving a notice in open Court or procuring the same to be entered upon the docket of the Court and shall perfect his appeal within three days by paying up all costs before that time giving security for future costs and advancing the jurors fees, the cause shall then be set for the next regular term for trial unless sooner agreed upon by the parties

SEC. 6. *Be it further enacted,* That jurors shall try all causes in equity as well as law and in equity may render special verdicts upon which the court may enter Judgment and issue its decree or order

SEC. 7. *Be it further enacted,* That a juror may be challenged for favor for cause shown by his own evidence or that of others and each party shall have the right to three peremptory challenges

SEC. 8. *Be it further enacted,* That the Defended party shall in all cases be liable for the costs of suit

SEC. 9. *Be it further enacted,* That the said appeal shall be decided by a jury of twelve men and from the decision of said jury there shall be no appeal

SEC. 10. *Be it further enacted,* That all executions issuing out of the Miners Court shall be made returnable in twenty days from date and the Sheriff shall note on each execution the day he received the same and return the said within the said twenty days whether satisfied or not with his return thereon endorsed

SEC. 11. *Be it further enacted,* That all Attorneys who practice in this Court shall take and subscribe the following oath. You do solemly swear in the presence of Almighty God that you will support the Constitution of the United States and the laws of this District and that neither for gain malice fear of favor will you predjudice the cause of your client but will do all that you honorably can in any cause in which you are engaged to advance his interests

Approved February 20 1860

AN ACT In Relation to Levy & Sale upon Execution

SECTION 1. *Be it enacted by the citizens of Gregory district in convention assembled,* That there shall be exempt from levy and sale upon execution all tools for mining bedding clothes cooking utensils and necessary provisions for three months and in case of a man residing with his family a dwelling house not exceeding five hundred dollars in value and such articles of household furniture as are strictly necessary together with bible family pictures and relics

SEC. 2. *Be it further enacted,* That all property taken in execution shall be posted in three conspicuous places in the District for the five days next preceding the sale thereof and the Sheriff may adjourn said sale at any time when it appears that the property cannot be sold except at a great sacrifice for want of bidders

SEC 3. *Be it further enacted,* That money collected on execution shall be paid into the hands of the Court by the Sheriff to satisfy in whole or in part the Judgment that may be recorded on his books and the Court shall pay the same to the proper parties or their Attorney.

Approved February 20 1860

AN ACT Relating to Crimes and Nuisances Committed in Gregory District

SECTION 1. *Be it enacted by the citizens of Gregory District in convention assembled,* That all crimes committed in this District shall be punished as a Jury of twelve men shall direct

SEC. 2. *Be it further enacted,* That any person who shall cause any nuisance affecting the health of the people of this District or liable to affect the health of the people of this District may be sued for the same in the miners Court in the name of "Gregory District vs. the Defendant and shall be liable to pay damages in a sum not exceeding one hundred dollars and costs of suit for the use of said District

SEC. 3. *Be it further enacted,* That if any person shall obstruct any highway or make any pit or hole and leave it open so as to endanger life or limb upon any usually travelled road or trail such person may be sued as aforesaid for committing a nuisance and be liable to said District in Damages as provided in section 2 with costs of suit

SEC. 4. *Be it further enacted,* that every other act of commission or omission which may affect the public health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable accordingly

SEC. 5. *Be it further enacted,* That after any conviction for a nuisance in said miners Court if the said nuisance is allowed to remain for twenty-four hours thereafter the person or person who caused the same and whose duty it should have been to remove it shall be again liable in damages and shall also be liable for each twenty-four hours after a conviction as hereinbefore provided in this act

SEC. 6. *Be it further enacted,* That executions shall issue in all cases under the provisions of this act in the name of the District the same as in any other suit at law

Approved February 20 1860

AN ACT Containing General provisions for the Government of Gregory District

SECTION 1. *Be it enacted by the citizens of Gregory District in convention assembled,* That the Judge of the miners Court shall pay over each week to the Treasurer of the District all moneys he may collect from judgments in favor of the District contempts of Court and fines of every kind and the treasurer shall not pay the same out to any person unless upon vote of the miner given at some meeting legally called

SEC. 2. *Be it further enacted,* That the President or Judge of the Miners Court may call a public meeting at any time either of them may deem the same necessary by posting six notices in as many conspicuous places in the District

SEC. 3. *Be it further enacted,* That all laws conflicting with those passed by the citizens of this District at the Public meetings held on the 18th and the 20th of February 1860 are hereby repealed and shall cease to take effect in fifteen days after this date except as to suits pending and commenced before that time and the laws passed at the said time hereinbefore specified shall take effect fifteen days after this date

Approved Feb 20 1860

J. S. STONE,
Judge of the Miners Court.
M. STORMS, *Recorder.*

Be it resolved by the Citizens of Gregory District in miners meeting assembled

1st. That no change of venue be granted from this District in any suit hereafter commenced in the miners' Court of this District shall be allowed unless the judge of the Court and the President be interested in the event of said Suit and that said interest must be shown by the affidavit of the party applying for such change of venue and that the costs of such change of venue shall be paid within thirty six hours after such change is granted by the party applying therefor and shall not be taxed against any other party in said case. This section to apply to civil cases alone

2nd. That if a party believes that the people are so predjudiced against him that he cannot have a fair and impartial trial by the people of said District and such fact is shown by affidavit, it shall be lawful to summon jurors from the other parts of the Country and that such affidavit contemplated by this and sec one shall be made on the return day of the Summons unless such fact come to the knowledge of the party after said return day

Be it enacted by the people of Gregory District in general mass meeting assembled

1st. That from and after the 3rd day of June A. D. 1861 the Boundaries of Gregory District (by and with the consent of Enterprise District) be so changed as to include all of Enterprise District and the territory heretofore comprising the District of Gregory and Enterprise be erected into one mining District and shall be designated by such name as may be determined upon by a joint meeting of the citizens of Gregory and Enterprise Districts.

2nd. That George W. Brizee, D. S. Parmelee, C. B Clements J. W Colver and ——— Hooper be and are hereby made and appointed Commissioners to meet at some convenient place at Black Hawk Point to same number of Commissioners to be appointed by the People of Enterprise whose duty it shall be to revise and harmonize the laws of the two Districts and shall report a complete set of laws to govern the two Districts so united at a meeting to be held at Gregory Point on Saturday Evening the 29th day of June 1861 at Early candlelight.

To Wm H. Bates President of Gregory District:

We the undersigned miners and citizens of Gregory District respectfully petition your Honor to call a meeting of the citizens of this District for Saturday Eve next for the purpose of repealing Section 5 of an act "Providing

that the Sheriff of Arapahoe County shall be ex-officio sheriff of Gregory District" and by this means enable us to elect some suitable person that may receive the popular vote of this District to serve the people.

Dated Gregory District May 29 1861

Names.	*Names.*
GEO W BRIZEE	H. C. EDWARDS
A. H. CLEMENTS	H. B. EIGHMEY
WM H. GOBLE	D. C. VANCE
P. MCLAUGHLIN	I H. OSBORNE
M. WALL	DANIEL DOYLE
E. F. MCGLASHAN	C. S. BALL

Be it enacted by the citizens of Gregory in Mass meeting assembled, That section 5 of an act passed and approved February 20, 1860 Entitled an act in relation to the officers of Gregory District their duties terms of office and fees found on page 6 of the laws of Gregory District be and the same is hereby repealed

2nd. That it shall be lawful to elect a sheriff of Gregory District who shall when elected and qualified have all the powers of the sheriff confered by law on Sheriffs of counties in the former Territory of Kansas

3rd. That this act take effect and be in full force from and after its passage

At a meeting of the miners and citizens of Gregory District held pursuant to notice being duly posted the president in the Dist. presiding on motion A. H. Clements was appointed secretary on motion a committee of three was appointed by the chair consisting of Col Sam'l McLean, D. S. Parmelee and Chas C. Post to draft resolutions expressive of the object of the meeting the committee then retired and afterward reported the following amendments to the laws of Gregory Dist. to wit:

On Motion the report of the committee was accepted and adopted unanimously

On adjourned

AN ACT amendatory to an act entitled an act defining claims and regulating the title thereto

SECTION 1. *Be it enacted by the citizens of Gregory District in convention assembled,* That no person shall have more than one gulch patch or placer claim except by purchase or discovery and no more than one claim or lead except by purchase or discovery

SECT. 2. *Be it further enacted,* that each Discovery claim shall be plainly marked and staked with the name of the person who shall have discovered the same plainly written thereon and and a hole or shaft shall be sunk on the same to the crevice thereof and the same shall be recorded as other claims and in all cases each discovery claim shall be as plainly described on the records as possible and a penalty of ten dollars shall be imposed upon any one removing a stake a stake or land mark to be recovered the same as other fines and applied the same way

SECTION 3. *Be it further enacted,* that all claims of whatever description shall hereafter he held as real estate

SECT. 4. *Be it further enacted,* that all discovery claims shall be entitled to twenty-five (25) feet each side of the discovery crevice and all preemptions shall follow the principal crevice and when leads cross each other priority of discovery shall be entitled to the crevice in crossing and all spurs from the principal lead crevice shall be regulated according to laws regulating other discoveries

All laws heretofore existing conflicting with these amendments are hereby repealed and all laws passed by this meeting shall take effect on and after their passage

HENRY MASON
D. S. PARMELEE
W. STORMS

CLEAR CREEK COUNTY.—OHIO MINING DISTRICT.

At a meeting held by the miners for the purpose of organizing a new district this 12th day of April 1860 the following boundaries and name of the district were adopted

SECTION 1. *Resolved,* That the Boundaries of Ohio District shall be as follows Commencing at the mouth of Soda Creek running thence up Clear Creek to the mouth of Chicago thence due South West four miles thence East to the East branch of Soda Creek thence down the same to the place of beginning

SEC. 2. *Resolved,* that there shall be one President one Justice of the Peace one Sheriff and one Recorder the said district they shall hold their office for the term of one year from this 12th day of April 1860

SEC. 3. *Resolved,* that the President shall have the general supervision of the district and call all meetings of the miners and shall preside over all meetings held by the miners and call a meeting once every month and shall act as Justice of the Peace when the Justice is party concerned

SEC. 4. It shall be the duty of the Justice to try all cases brought before him and issue summons to parties brought for trial & issue exicutions for the attachment and sale of property and shall have all the power of the peoples Judge

SEC. 5th. *Resolved,* that it shall be the duty of the sheriff to serve all summonses for parties to appear for trial to serve exicutions & sale of property for debt and shall have all the power of a sheriff of Kansas

SEC. 6th. *Resolved,* that the recorder shall record all claims brought before him for record and shall keep the minutes of all meetings held by the miners of said district The records shall be open for the inspection of the miners at any time and shall not be taken out of the hands of the recorder

SEC. 7th. That all cases shall be tried by a Jury of three or twelve disinterested miners and from them there shall be no appeal The jurors shall be sworn to give their verdict according to law and evidence

SEC. 8th. That the Justice shall receive double the fees of an ordinary Justice of Kansas and the President shall have five dollars for calling and attending all meetings called by request for any parties to be paid by the party requesting the meeting Called the Sheriff shall recieve double the fees of a sheriff of Kansas and the recorder shall recieve a fee of fifty cents for all records not over one hundred words for over one hundred words one dollar

SEC. 9th. That each and every person shall be entitled to hold one bar claim one hill claim and one lode claim & one water claim and all discovery claims by preemption all claims shall be recorded within ten days after staking if not worked or they will be forfeited all claims must be worked every ten day except discovery claims which may be held without work

SEC. 10. All purchase claims shall be recorded any person or company working one of their claims shall hold the balance of the claims by recording those not worked

SEC. 11. All claims in the district hold until the first of October legally and shall from that date be held without working until the first day of June 1861

SEC. 12. That all lode claims in this district shall be considered real estate and all discovery claims shall be exempt from exicution

SEC. 13. Mill and water claims shall hold good the same as lode claims and shall not be jumpable whether improved or not within one year from the first day of June 1860

SEC. 14. Purchased claims shall always hold good without work

SEC. 15. The monthly meeting of the miners of Ohio District be discontinued unless there be matter of importance requiring the action of the miners theron

SEC. 16. That all laws conflicting with those be and are hereby repealed

SEC. 17. Be it resolved that the laws of this district may not be repealed or any article added thereto unless ten days notice stating purpose is given said notice to be signed by at least ten miners holding legal interests in the district and said notice to be posted in three conspicuous places in said district

SEC. 18. Resolved that water or mill claims shall be 600 ft up or down the creek as the taker may choose

SEC. 19. *Resolved*, thany persons discovering a lode shall be entitled to the discovery and also one claim on each lode by preemption and that all claims shall be recorded in Ohio district lying in the boundaries of said district or they will be considered null & void and all claims shall be held good to the recorder for his fees until paid whether transfered or not and the recorder may sell any claim when his fees remain unpaid by giving ten days notice of the same

SEC. 20. Defining Claims and regulating title thereto That all persons shall be entitled to one bar claim one water or mill claim one claim on each and every lode discovered in the district also one tunnel claim which shall be the entire distance to run the same for discovery purposes as shown by record and stake at the mouth of the tunnel at the proposed point of starting the same that any person & persons working a tunnel provided he or they shall comply with the law shall be entitled to 250 feet on each side of all lodes discovered in consequence of the same and such parts of the lodes as they are entitled to shall be held as discovery provided they do not interfere with any vested rights and if it shall appear that the lodes have been staked off on the line of said tunnel so that the required number of feet cannot be taken near to the same they may be taken upon any part of said lode where it may be found vacant

SEC. 21. That any person & persons working a tunnel Claim shall after the same is legally located have the priority of right to all lodes discovery on the line of the tunnel from the recorded line of its mouth to its terminus and shall have the right of way through all lodes which may be in the course of said tunnel is recorded and worked

SEC. 22. That any person or persons shall take water from Soda Creek if their doing so inteferes with the interests of the miners on said creek who shall have priority of right to said water

SEC. 23. That all persons working hill claims shall be liable for damage unless they shall run their tailings so that they shall not intefere with parties mining claims below them

SEC. 24. That all persons shall have the right to use water free of charge from the ditch now dug on the north side of Soda Creek by doing his or their portion of the work upon the same to keep it in repairs so that it will supply each and every person mining on the line of said ditch with sufficient water for washing purposes and persons refusing to comply with the above act shall receive no water unless paid for in advance at the rate of one dollar per day each sluice-head said money to be paid to the President of the district to be appropriated for repairing the ditch

At a meeting of the miners of Ohio district held pursuant to notice on the 22d Dec 1860 the following resolution was passed

Resolved, That all lode claims legally held in said district shall be considered as real estate

Resolved, That all laws conflicting with these are hereby repealed

Be it Resolved, That laws of this district may not be repealed or any article added thereunto unless ten notice stating purpose is given said notice to be signed by at least ten miners holding legal interest in the district and said notice to be posted in at least 3 conspicious places in the said District

Resolved, That water at mill claims shall be six hundred feet up or down the creek the taker may choose

Resolved, That all persons discovering a lode shall be entitled to the discovery also one claim on each lode by preemption

This is to certify that W. E. Sisty, F. Y. Howe, E Miner and W L Campbell have this day preempted a tunnel claim on the East branch of Soda creek about half a mile from its mouth said claim running south fifty degrees East &c

LAKE COUNTY.—CALIFORNIA MINING DISTRICT.

BY-LAWS OF CALIFORNIA MINING DISTRICT CALIFORNIA GULCH, ARKANSAS RIVER, MAY 12, 1860.

At a Meeting of the Miners held in the above-named District on the 12th day of May, 1860 the following Laws were adopted.

SEC. 1. California District bounded as follows—commencing at Claim No. 67 West in the California Gulch, thence One Mile South, thence eastwardly on a line parallel with the Gulch to the head, thence North Two Miles, thence West on a line parallel with the Gulch to the Sacramento District, thence to the place of beginning.

SEC. 2nd. All claims taken in the District shall be marked by a Stake with the owner's name, the date, and the direction which the claim runs.

SEC. 3rd All men are entitled to one Gulch claim, one Lode claim, one Hill claim, and one Dry Gulch claim by pre-emption.

SEC. 4th A Substitute for Section four. Repeal. All persons or persons shall hold by purchase as many claims as they or he may deem proper to purchase.

SEC. 5th All men are entitled to hold one Lode claim by pre-emption and one by purchase until the first day of June 1861 by having it recorded without doing any labor thereon.

SEC. 6th. Any person or persons who may hereafter make a new discovery of any species of Gold mines shall be entitled to hold but one Discovery claim.

SEC. 7th Discovery claims shall be respected whether worked or not.

SEC. 8th. Any man or Company of men, holding claims *legally* in this District shall by working one claim be entitled to hold the rest of his or Company's claims.

SEC. 9th. All claims held by pre-emption or purchase shall be recorded within seven days thereafter, and the failure thereof, pre-emptors or purchasers shall work the said claim One day in every seven, if not, the said claim shall be considered vacant.

SEC. 10th. As amended April 21st, 1861.—Gulch claims shall be one hundred feet up or down the Gulch, and shall hold the Gulch Pay streak, let it run which way it may.

SEC. 11th. All claims can be held until the 15th day of June 1860, by having them recorded, whether worked or not.

SEC. 12th. Lode claims shall be 100 feet square.

SEC. 13th. Hill and Dry Gulch claims shall be 100 feet square.

SEC. 14th. The officers of this District shall consist of a Justice of the Peace, a Sheriff, Recorder and a Stake Driver.

SEC. 15th. It shall be the duty of the Justice to preside at all suits brought before him and to order the empanelling of a Jury, provided the parties, that is, sues devise it, and to Issue all papers pertaining to that office.

SEC. 16th. As amended. It shall be this rites of papers issued by the Justice, and attend all sessions of the Justice Court.

SEC. 17th. As amended. It shall be the duty of the Recorder to keep a Record of all claims filed with him, and all Bonds, Deeds, or Transfers, that may be brought to him, and to act as Secretary at all Miners Meetings, and post Notices for all Miners Meetings. The Records shall be properly recorded in suitable Books, and not kept on loose sheets of paper, and shall be open for the inspection of the Public at all business hours.

SEC. 18th. It shall be the duty of the Stake Driver to stake, measure, and number all claims in the District.

SEC. 19th. As amended. The fees of the Justice shall be for presiding at each trial $2.50, for issuing each Summons, Sub-poena, or Execution, or any Rite, $\frac{50}{100}$ dollars; for swearing each Witness $\frac{25}{100}$ dollars for docketing and rendering Judgement $\frac{50}{100}$ dollars, for entering Satisfactory Endorsements $\frac{50}{100}$ dollars The fee of the Sheriff shall be for serving each Rite or Summons 1^{00}, or warrant 1^{00}. For each mile of travel out of the District per mile $\frac{25}{100}$ dollars; for serving each execution 1^{00}, for advertising execution 50 cents, for attending trial 1^{00}, for summoning Jurors and Witnesses each 25 cents. Ten (10) per cent on all collections under one hundred dollars, and five (5) per cent on all amounts over one hundred dollars. The fee of the Recorder shall be 1^{00} for recording each claim, or Bond, or Deed, or Transfer. The fee of the Stake Driver shall be 25 cents to be collected by the Recorder. Jurors fees shall be each $2.50, Witness fees shall be each 2^{00}.

SEC. 20th. As amended. Any person bringing suit in the Justice Court shall give Bonds or Security, for the payment of all costs that may be contracted, before any action is taken in the case; and said Bonds shall hold good until the said suit is settled.

SEC. 21st. As amended. All suits shall be brought until a Territorial Organization is completed, by Complaint in writing, to be filed with the Justice of the Peace who shall thereupon issue a Summons to the Defendant or Defendants to appear and answer to the Complaint in not less than three days from the date of said Summons, which summons shall be served at least two days before filed for trial, when the Justice shall preside to hear and decide the case, unless either party demand a Jury, or advance the fee of said Jury. The Justice shall cause a Jury of three competent Claim-holders to be empanelled who shall try the case, and render Judgement accordingly; if either party wishes to appeal they can appeal to a jury of Six competent Jurors within three days by giving Bonds for Costs, and advancing the fees of the Jurors and the Justice shall thereupon issue a vinvia for said Jury who shall proceed to try the cause, their verdict shall be final in the cause: Judgement entered accordingly. It shall be the duty of the Justice when a Jury of three is called for to select the names of seven competent Jurors, and the said Plaintiff and Defendant can cast off two each, and the remaining three shall be summoned to preside and hear the cause and Judgement be rendered accordingly. And if a Jury of Six be called, it shall be the duty of the Justice to select the names of twelve competent Jurors and the Plaintiff and Defendant can cast off three each, and the remaining six shall be summoned to preside and hear cause and Judgement be rendered accordingly.

SEC. 22nd. No case can be appealed unless the costs of the former suit be first paid.

SEC. 23rd. As amended. No person shall be a Voter in this District unless he is a claim-holder or has been a bona-fide resident of this District ten days, and no person shall act as a Juror unless he is a claim owner in this District.

SEC. 24th. Any persons throwing striplings or tailings upon the claim of another shall be at the expense of the removal thereof on being requested to do so by the owner of said claim within five days.

SEC. 25th. Any person shall have the right to construct a Ditch through another, provided he does not remove any pay-dirt.

SEC. 26th. On the nineteenth day of May, A. D. 1860 there shall be an Election held for the Offices of Justice and Sheriff, said Officers shall hold their Offices for the term of Six Months, at the expiration of which term there shall be a general Election for all of the Officers of the District.

SEC. 27th. Any persons killing Beef Cattle in this District shall do so at a Distance of three hundred yards from the main Gulch and shall also burn up or bury Offal within three days thereafter, or be subject to a fine of Ten Dollars for each Beef as killed, which fine shall be imposed by the Justice and paid by him to the person informing.

SEC. 28th. As amended. Resolved that the Recorder of California District be, and is hereby empowered to administer the Oath of Office to all other officers of the District.

SEC. 29th. As amended. Resolved that the Wagon road up this Gulch be respected.

SEC. 30th. As amended. All persons owning claims shall keep all of the Water of the Gulch Stream out of the Drain Ditch after the first day of May 1861, and run it down on either side of the Gulch.

SEC. 31st. As amended. Providing any person or persons fail to comply with the above Section, it shall be the privilege of any Miner interested to turn the Water into a Ditch outside of the Drain Ditch and collect pay for the work done of the owner of said claim, and said claim shall be held responsible for said work, not exceeding Ten dollars.

SEC. 32nd. As amended. Any person or persons using Water for Mining purposes in this District are compelled to return the same into a Ditch from which it was taken, leaving the claim immediately down the Gulch, and that the Centre or Drain Ditch be used for no other purpose than that of Draining.

SEC. 33rd. As amended. If any person or persons refusing or neglecting to comply with the above Section shall be subject to a fine of Fifty Dollars per day for so doing, to be imposed and collected by the Justice of the Peace, providing that the parties be notified of this Law before any action can be commenced.

The above Laws transferred from "Book A" for 1860, by

JOHN GIBBS, *Recorder*

April 22th 1861.

Pursuant to previous Notice, the Miners of California District, California Gulch, assembled at the residence of John Gibbs esq. at the hour of 10 a. m. April 14th 1861, for the purpose of appointing a Committee to revise the Laws of said District, and draft such Laws as they might deem necessary.

On Motion, Enoch Belanger, was chosen Chairman S. Janney, sec'y. of the meeting.

On Motion by Mr Berry, a Committee of Three was appointed to revise and draft Laws and report at the next Meeting. Messrs. Farnham, Gibbs, and McLaughlin we appointed as said Committee.

Moved and seconded not to allow the upper portion of the District, including down to No. 15 below discovery, to secede and annex themselves to the upper District. Carried unanimously.

Moved and seconded to hold another Miners Meeting on Sunday the 21st day of April 1861 at the same house and place, for the adoption of Laws and the Election of Officers; also that the Secretary be required to post not less than five Notices giving information of said Meeting.

On Motion the Meeting adjourned.

STEPHEN JANNEY *Secretary.*

Pursuant to Notice, the Miners of California District assembled at the residence of John Gibbs, esq. at 10 a. m. on April 21 1861; the following Laws and Amendments were adopted.

On Motion John Hoover was appointed Chairman; Chas. Berry, secretary;

On Motion the reports of last Meeting of the 14th inst. were read and approved.

On Motion the Reading of the Laws and Amendments was called for and read by the Chairman of the Committee, J. Farnham. The following were adopted.—

Sec.	9	adopted	as	amended,	sec.	11	adopted	as	amended
"	16	"	"	"	"	17	"	"	"
"	19	"	"	"	"	20	"	"	"
"	21	"	"	"	"	22	"	"	"
"	24	"	"	"	"				

On Motion the Amendment of the Water Law was taken into consideration and received.

On Motion a Committee of Two was appointed to draft a Law regarding Draining Messrs Sweeney and Alexander were appointed as said Committee.

Report on Committee received and discharged.

On Motion the Minutes of a previous—held Nov. 15th, 1860. were repealed.

Sec. 34th. It shall be the duty of the Justice in case of the death of any resident of this District to appoint an Administrator for the Estate (if he has one) of such deceased person (unless the deceased person appoint one before his death) and said administrator shall give Bonds for the faithful performance of his duties, to a Committee appointed for that purpose, and said administrator shall be entitled to five per cent of all the assets belonging to said Estate, for his services, and there shall be a Committee of Three appointed at a regular Meeting of the Miners of this District, whose duty it shall be to examine accounts of all Administrators of this District and endorse the same previous to their being recorded, and it shall be their duty to see that each Administrator performs his duty faithfully. And in case of failure or neglect to perform those duties the Committee shall have such Jurisdiction as the Orphans Courts in the respective States, And the Committee shall instruct the Administrators when to sell the property of the Estate.

Sec. 35. Miners Meetings shall be called by the Recorder on the petition of ten Claim-holders for the purpose of revising or amending or changing the Laws, and for filling vacancies in Office, and for no other purpose. The Recorder to give five days notice of the time and place of meeting.

Sec. 36th. It shall be the duty of the Recorder in case of his wanting to leave the Country or remove to other points of the Country, so as to disqualify him for the Office, it shall be his duty to call a Miners Meeting, stating the object of the Meeting, and deliver the Books into the hands of the Miners, or otherwise consign the Books into the hands of the Justice of the District, which shall be the duty of the Justice to call a Meeting of the Miners to elect a Recorder. In no case shall the Recorder have power to appoint a Deputy and said Recorder shall be held responsible of the Books to the Miners or Justice as above described.

Sec. 37th. Any men or Company of men desiring to tunnel the Mountain shall be entitled to two hundred feet in width and extending to the top of the Mountain, and they shall have the privilege to locate their Course to suit themselves. Tunnels in all cases in the District to be commenced within Ten days from the date of recording of the same, and shall be run at least ten feet within one month. After said Tunnel is run one hundred feet it shall be held as Real Estate.

Sec. 38th. On Motion of J. Alexander be it enacted all persons or purchasers of claims from Jumpers shall, in being deprived of the same, collect all monies paid to said Jumpers and of said Jumpers also gain all damages that may accrue.

Sec. 39th. Amendment of Resolution adopted Aug 4th 1860 Resolved that all claims now held by preemption or purchase hereafter shall hold good until the first day of June 1861.

Sec. 40th. Resolved that the recorder of this District is hereby authorized to contract with the lowest possible bidder for any or all excavations that may be necessary to make a suitable Bed Rock drain Ditch through all the claims in said District, each claim to be held answerable for the cost of said Ditch. Provided that nothing in the above shall be so construed as to prohibit any claim holder from draining his own claim, the above work to be completed in one month from this date, April 21st, 1861.

Sec. 41st. *Resolved*, that where the Laws of this District do not provide for the Justice Court, the Justice Court shall have full, and equitable, and common law jurisdiction, the same as in the respective States.

On Motion adjourned for the Election of Officers for the District. On Motion the Meeting was called to order by the Chairman and reported as follows.—A. C. Hoover duly elected Justice of the Peace, John Gibbs, Recorder, H. McLaughlin, Sheriff.

On Motion adjourned, Sina dia.

CHAS. BERRY *Secretary.*

Pursuant to a previous Call, the Miners met at the Recorders office, June 1st 1861, 4 p. m.

Meeting called to order by John Gibbs, Recorder J. H. Alexander elected Chairman of the Meeting.

Moved and Seconded that the Law passed on the 21st of April, 1861, relative to draining claims be repealed. Carried.

Moved & Seconded that the Chairman of this Meeting appoint a Committee of three men to draft a Law relative to draining claims in this District. Carried.

John A. Sowers, John Gibbs, and Mr Farnham appointed by Chairman as said Committee.

The Report of the Committee read.

Moved & Seconded that the Report of the Committee be adopted as a Law. Carried.

Moved and seconded that the Sheriff receive the same fee for attending to his duties relative to the Drainage Law, as in other duties in this District.

Moved & Seconded that a motion submitted by J. Gibbs relative to let the Tailings run in the side Ditch be adopted as a Law. Carried.

Moved & Seconded to adjourn.

JOHN GIBBS, *Secretary.*

Resolved, that all persons shall shovel their tailings out of the Ditch at the end of their Sluice, and in failure thereof, they shall be subject to a fine of Twenty five dollars per day after being notified so to do.

Drainage Law.

Be it enacted by the Miners of California District, that all owners of Gulch claims in the District, shall commence draining their claims within five days from the date of this enactment, and if any claimant shall fail so to do, the Sheriff is hereby empowered and instructed immediately to contract for the opening and repairing of the Drain Ditch through their claims, to the lowest bidder, and in such manner as he may see fit; and to defray all expenses of such Drainage that may accrue, said claims shall be holden. And if the owners shall fail to pay such expenses, within twenty days after the Drainage is completed, then it shall be the duty of the Sheriff to sell said claims to the highest bidder to defray the expenses of drainage, after having given the usual public notice. And if any claim sold in the manner above provided shall fail to pay the expenses of Draining, the Sheriff shall levy and collect an equal tax on all claims in the District to pay the deficiency.

Be it further enacted that all claimants in this District who shall have commenced to drain their claims within five days from the date of this enactment are requested to have the draining of their claims completed within twenty days and if any claim shall fail so to do, the Sheriff is instructed to proceed with their claims at the expiration of twenty days in the same manner as provided in Section first.

JOHN GIBBS, *Recorder.*

Pursuant to previous Notice, the Miners of California District met at the Recorders Office June 25th 1861 at 4 o'clock p. m. when the following resolutions were adopted.

Resolved, that on all claims in the District on which it is at present impossible to work at the drain ditch, Work shall be commenced as soon as the Drain ditch is completed to said claim and shall be continued with force sufficient to work the said claims, day and night until the Drain Ditch through said claims shall be completed, and if the owners of said claim or claims shall fail so to work said claim or claims, it shall be the duty of the Sheriff to hire hands to prosecute said work and for the expense so incurred, the claim shall be holden.

Resolved that the Drainage Law of this District be so amended that claimholders whose claims are holden for the expense of drainage shall be entitled to only three days to redeem said claims. If they shall fail so to redeem their respective claims, the Sheriff shall be empowered to advertise and sell said claims according to the Laws of the District.

Resolved, That the —— is directed to levy an equal tax on all the claims in the District to pay the balance of the drainage expense which shall remain unpaid, after forfeited are legally sold to pay for draining the same, and said tax shall be collected by giving the Owner or Owners Agent three days notice of the Amount of said tax, and if after three days Notice to the Owners or Agents of Claims, said Owner or Agent shall fail to pay said tax, then the Sheriff is empowered to sell said claims to defray said tax by advertising said claims in the manner prescribed by the Laws of the District.

Resolved, that the Sheriff be allowed $1.50 for selling each claim over and above the legal percentage.

Resolved, that the Centre Ditch shall be kept open by the owners of the respective claims.

Resolved that the Miners of this District will sustain the Sheriff in complying with the above resolutions.

JOHN GIBBS, *Recorder.*

Pursuant to previous notice the Miners of California District met at the Recorders Office Aug. 12 1861 and the following resolutions were adopted.

Resolved, that the Drainage Law of this District is forever annulled.

Resolved, that the act making claims Jumpable every seven days is hereby annulled, and that all claims shall hold good to the present owners or their assigns until the 15th day of June 1862.

JOHN GIBBS, *Recorder*

At a Meeting held by the Miners of California District, California Gulch, Colorado Territory, June 22nd 1862, the following resolutions were adopted.

Res., 1st. That S. Johnson should act as Secretary of said Meeting.

Res., 2d. Be it resolved by the Miners of California Gulch California District, That whereas the Laws heretofore passed in this District, in many instances conflict and are by no means suited to the present wants of the People, we deem them as worthless and declare them as forever annulled. But the official records of claims, deeds, mortgages, Articles of Agreement, Leens, &c shall remain valid.

Resd, 3d, That this District shall be known as California District and shall extend from the Eastern line of Claim No. 1, in Sacramento District Cal. Gulch.

JUNE 22ND, 1865.

Peter Caruth was chosen Chairman at the call of the Miners of California Gulch, California District.

On Motion, Moved & Seconded,

That any Company of Miners working in this District be compelled to run the tailings in the Main side ditch on a level with the Gulch, so that the Company below can get the water, and the center of the Gulch be used for drainage purposes and no other. Moved and Seconded That any leases, conflicting with the above or heretofor, are null and void.

Moved & Seconded to adjourn. *Sine dia.*

At a meeting of the Miners at the house of John Leahy in Oro City Jan 1st 1866, S. H. Fonts was chosen Chairman and A. S. Weston Secretary.

On Motion a Committee of Five, viz: A. S. Weston, C. W. Floyd, S. D. Breece, J. W. Tisdale, and John Leahy was appointed to draft Laws for the District and to define the boundaries of the same.

On Motion adjourned to meet on Saturday, Jan. 19th

SATURDAY *Jan.* 19th

Adjourned to meet on the 22nd Jan. at 10 o'clock.

Met according to adjournment JAN. 22ND

The Committee not being ready to report, the following Laws were adopted:

ART. 1st. This District shall be known as the California District and shall be Bounded as follows, to wit: On the North by the divide between Evans Gulch and Birdseye Gulch, on the East by the top of the Range, East of the Arkansas River, on the South by the divide between Iowa Gulch, and Empire Gulch and on the West by the Arkansas River.

ART. 2nd. All Gulch claims hereafter pre-empted in this District (except in that portion of the District heretofor known as the Arkansas Independent District) shall be 500 feet in length up and down the Gulch and from bank to bank. Provided the Gulch claims shall hold the Gulch streak, and no side claims shall be known or recognized in this District. Hill claims shall be 500 feet square, but shall not interfere with Gulch claims. Patch claims shall be as at present where patch claims are recognized.

ART. 3rd. All Lode claims shall be taken according to the Congressional Mining Law and whenever or wherever the length of Lode claims shall be changed by acts of Congress, the Laws of this District shall be deemed to have been changed in accordance therewith. And each discoverer of a Lode shall put up at the discovery a Stake 4 inches in diameter and four feet high, plained, marked with the name of the Lode, name of discoverer, and date of Discovery. Provided all Lode claims shall be recorded within 30 days from the date of staking.

ART. 4th. All claims shall be recorded unless represented by actual and continuous Labor on such claims, and all transfers shall be filed for record within ten days, but the title shall be deemed to be in the seller until the transfer is filed.

ART. 5th. Any person may pre-empt and hold one Gulch claim, and one Hill claim, in each Gulch or Discovery. And no limit shall be made to the number of claims held by purchase. And all claims shall hold good from the 1st day of November in each year until the 1st day of July following, and then the same shall be represented by Labor unless the owner thereof shall be a resident of the District or be actually engaged in Gulch mining in the County. Provided that any person having deposited of their pre-emption claim or claims shall have the right to make a new pre-emption.

ART. 6th. All miners shall tail into the side ditch provided, whenever it is impossible for the Miner above to put the water into the side ditch so that the Miner working below him can get the water on top, then the water shall be equally divided, but this Act shall not apply to Arkansas Independent District.

ART. 7th. There shall be a Recorder elected by the Miners of this District on the first Monday of October in each year who shall hold his Office for one year and until his successor is elected, provided the Recorder elected at this time shall hold until his successor is elected, whose duty it shall be to keep a fair record of all proceedings of all Miners Meetings in the District, when the same shall be regularly called, and record all claims & transfers and all other papers that may be presented to him for record on the payment or tender of legal fees for the same. The fees of Recorder shall be the same as are allowed for similar services to the County Clerks of Colorado by the Laws of the Territory. It shall be the duty of the Recorder to call a Meeting of the Miners of the District on the petition of seven Miners of the District, by given seven days Notice of the same. The Recorder shall have power to appoint a Deputy.

ART. 8th. All Patch Claims below Gulch claim No. 58 in Sacramento are declared vacant.

ART. 9th. All claims not held in conformity with these Laws shall be forfeited and subject to pre-emption.

ART. 10th. These Laws can be amended or repealed at any Meeting of the Miners of this District called in accordance with Law provided the vested rights of all parties shall be respected.

Lake County Records.

WM. B. FISHER *Expert.*

CLEAR CREEK COUNTY.—SHIRT-TAIL MINING DISTRICT.

LAWS.

ART. 1st. All claims shall be held good if recorded until the proper machinery can be had to work them

ARTICLE 2nd. No person shall hold more than one preemption claim on each lode in this district except by purchase

ARTICLE 3rd. All persons making discovery shall be entitled to one discovery claim and one preemption claim each being 100 feet by fifty

ARTICLE 4th. The first record shall hold good in all cases

ARTICLE 5. All disputed claims shall be settled by the miners on the lode where the disputed claim is situated

ARTICLE 6. The recorder shall have one dollar for each claim recorded

ARTICLE 7. It shall be the duty of the recorder to notify written notice to indebtedness the notice being ten days before the said claims are sold to pay demands of recorder

At a meeting of the miners John H Jack was elected recorder

WILLIAM CLARK *Sec'ty*

——— ——— *President*

SATURDAY *June* 9th 1860

The boundaries of the district are as follows:

Commencing at the center of Virginia gulch and running North East to gulch below Montgomery Bar and from the base of the mountain facing on Clear Creek, back two miles

June 9th 1860

There was a meeting called on Wednesday Oct 3 Wm Black in the chair The following laws were passed

That all claims from this date shall become real estate

ARTICLE 2. That all claims shall hold good if recorded staked or not

ARTICLE 3. That no man shall vote in said District unless he hold an interest

JOHN H. JAKE *Recorder*

OCTOBER 3rd 1860

SUMMIT COUNTY.—CARPENTER'S MINING DISTRICT.

CONSTITUTION & BY-LAWS CARPENTER'S DISTRICT—AMERICAN GULCH UTAH TERRITORY, ADOPTED JUNE 16TH 1860

Preamble

For the better preservation of order and defense of rights: we the miners of Carpenter's district American gulch adopt the following constitution and by-laws

ART. 1st. The officers of this district shall consist of President—Vice President Secretary and Recorder.

ART. 2nd. It shall be the duty of the President to call and preside over all meetings of this district and give the casting vote in all cases of a tie

ART. 3rd. It shall be the duty of the Vice President to fulfill all the duties of the President in case of the absence or disability of the President

ART. 4th. It shall be the duty of the Secretary to keep a correct minute of all the proceedings of the various meetings of this district

ART. 5th. It shall be the duty of the Recorder to make a faithful record of all mining ranch or other claims held in this district—he receiving 50 cts. for the making of each record

ART. 6th. Mining claims in this district shall consist of 100 feet up or down the gulch and from hill to hill inclusive (Scratched as above indicated)

ART. 7th. Any miner may hold one lead gulch and river claim in this district by preemption; the discoverer or discoverers being entitled to one claim extra by right of discovery

ART. 8th. Voters in this district shall consist of claim holders in the same

ART. 9th. All recorded claims though vacated shall hold good from the first of September 1860 til the fifteenth of June 1861

By-Laws

ART. 1st. Any claim in this district not being represented either by record or labor on the same within twenty days after the adaption of this constitution and laws shall be forfeited

ART. 2nd. Any case of dispute or litegation arising in this district shall be decided by a jury of six resident miners in the same

ART. 3rd. Any claim not being represented by labor of at least one half the company holding same once in ten days from and after the 6th of July 1860 shall be forfeited

SEC. 2nd, ART. 3rd. One half of any company working on one claim belonging to said company shall hold good all other claims belonging to same in this district

ART. 4th. Miners may hold one or more claims by private purchase, having same recorded on recorder's book and represented by labor as heretofore prescribed

ART. 5th. Any article in this constitution or laws may be altered, amended or repealed by a vote of two thirds of all the voters in this district

Boundary of District

Resolved, that this district be bounded as follows: commencing at the mouth of Swan river on the line of the Read Hill District running South along the said line to the dividing ridge between the French gulch and Gold run; thence along said dividing ridge to the head of Gold run; from thence at right angles from said line, one mile from thence on a line with Gold run to Swan river; from thence to the place of beginning

ART. first. The officers of this district shall consist of President and Secretary who shall be elected for the term of one year

The duties of the President shall be to call meetings and preside at all local meetings, to issue orders for summoning jurors and witnesses; to act as justice at all trials; to administer the usual oaths or affirmation for each and every trial he shall be entitled to receive five dollars

ART. 3rd. The duties of the Secretary shall be to keep a faithful record of proceedings of all legal meetings; to post notices for meetings by order of the President; to serve summons for jurymen and witnesses and fill what is known to common law as sheriff in the district; to attend all trials for each of which he shall receive four dollars; to record all claims; for each claim he shall receive one dollar

ART. 4th. In case of disputes either party shall have the right to a trial by a jury of nine men; the parties may strike from said number alternately till three be left who shall decide according to the evidence; either party shall have the right to an appeal to a jury of twelve men whose decision shall be final; each juryman shall receive two dollars for every attendance on trials

ART. 5th. It shall be the duty of Sec or others calling meeting to give three days notice by posting notices in at least four public places, stating the time and place of meeting

ART. 6th. All gulch claims shall be one hundred feet up and down the gulch and one hundred and fifty feet wide; bank claims shall be one hundred feet square; lode claims shall be one hundred feet on the lode and fifty feet wide.

ART. 7. No person shall be allowed to hold more than one claim by preemption in this district; as follows: one gulch claim; one lode claim; one bank claim.

ART. 8. No claim shall be valid after the first day of May next unless improvement be made thereon

ART. 9. No person shall be allowed to proceed with a trial unless he shall first have entered ample security for the payment of all cost.

ART. 10th. Any five claim holders, residents of the district shall have the right to call a meeting by giving notice according to article (5) fifth over their signatures stating the object of a meeting

ART. 11th. No sail of claims shall be valid unless signed by two witnesses and recorded

ART. 12th. No person shall have the right to preempt more than one claim on any one gulch, lode or dry diggings

ART. 13th. These laws may be altered or amended at any meeting of miners in this district by a two thirds vote

ART. 14th. *Resolved*, that article 13th and preceding articles remains in full effect and the constitution therewith connected, excepting that part relative to the boundary on the north which is now placed at the north end of No. 5 below discovery. S'd line running East and West intersecting with old lines at 15th

All claim holders not working mining claims in this district must work his or their claims one full day in each week and deposit a certificate that such work has been performed with the Recorder who shall keep on file at the same

ART. 16th. No person or persons residing in this district working claims or is ill and cannot perform manual labor is included in the above article

ART. 17th. No person or persons shall take from this district water in ditch or any other way thereby infringe on our mining interests

ART. 18th. Any person or persons may by filing their intentions with the Recorder bring into this district water by ditch or otherwise for the benefit of the mining interest of this district, providing no extention for tools is asked.

ART. 19th. No person shall be allowed to use but one usual sluice head in gulch for each claim worked thereby to include side claims from being worked

ART. 20th. Any person or persons deeding side claims and owners gulch claims deeds an equal interest in water unless otherwise stipulated and the first deed stands in preference

ART. 21st. No person or persons shall be allowed to carry on butchering or any other mercantile business without so disposing of the offals that they will not be a nuisance to the public, without a penalty of not less than ten dollars for the first offense nor over twenty-five and for each additional offense double the previous fine.

ART. 22nd. All sailes hold good as they were on the 6th day of Oct and all intres in claims hold good in law as they were at the time of representing

ART. 23rd. All claimes in dispute must be made known to the President who shall issue notice to call the miners to settle said dispute.

ART. 24th. No person shall be allowed to vote in this district who is a resident of any other unless working claimes and if any person should vote he shall forfeit all his interest in the district

ART. 25th. No person or persons shall be allowed to dam or garp the water so as to stop claimes from passage as usual in this mining district

ART. 26th. Every claim shall be subject to having bead rock ditch pass over it by parts owning claim above for the purpose of draining

These laws were all adopted article by article June 22nd 1861

J. W. CONLEY, *Rec.*

August 3 1861 the above laws apealed (?)

CLEAR CREEK COUNTY.—UNION MINING DISTRICT.

BY LAWS.

SECTION No. 1. This district shall be known as Union mining district

SECTION No. 2. The boundaries shall be as follows by commencing at the boundary line of Grass valley Mining District—thence down Clear Creek to mouth of Willow Creek and all gulches entering said Clear Creek between said points

SECTION No. 3. The officers of this District shall be a President Three Vice Presidents and a secretary and a recorder whose term of office shall be one year and until their successors are elected

SECTION No. 4. It shall be the duty of the President to preside at all meetings of the Miners of this District appertaining to affairs of the District and generally to see that all laws of the District are obeyed He shall together with the three Vice Presidents and Recorder settle all difficulties of whatever nature arising between persons residing in this District unless otherwise agreed between the parties In case of any dispute the above named officers shall sit as arbitrators and shall hear all evidence and allegations of their parties and have power to compell the attendence of witnesses upon their sitting as arbitrators and a majority of said officers when sitting as Judges or arbitrators shall determine any dispute and their Judgment shall be final and they may in the most effective manner execute their Judgment when they are called upon to arbitrate any dispute they shall appoint a day for the hearing of the same and shall give notice to the opposite party the time thereof Which shall exceed ten days from date of complaint and said arbitrators shall be paid two dollars and fifty cts each for each sitting on every case to be advanced by the person making the complaint who if in the right and so determined by the arbitrators shall recover the amount so advanced off from the person decided to be in the wrong and the party who is decided to be in the right may sell any property of the person who is decided to be in the wrong to defray the expenses of the arbitrators and to satisfy any damage awarded him by the arbitrators Said sale to be within five days after the case is determined It shall also be the duty of the vice president or any one of them to preside at meetings in the absence of the President

SECTION No. 5. And it shall be the duty of the recorder to furnish and keep a book of record in which he shall enter when called upon and the fee being paid at large any and all mining claims in this district Said record shall be kept open for the instruction of the public at all times of the day He shall record the numbers and description of all claims as furnished by the owners name name of the company and name of the bar and shall give to the owner two copies of the record one to be posted on the claim and one to be kept by the owner as assignee Said copies are hereby declared transferable by assignment on back of same and the assignee shall be entitled to all the rights of the assignor the same as the assignor would have enjoyed had not the assignment been made and after the date hereof no person shall be allowed to record more than one claim obtained hereafter but persons who confide owns one or more than one claim acquired rightfully heretofore may have the same recorded the Recorder shall also record in said book all laws passed by the miners of this district including these acts The recorder shall be allowed a fee of one dollar for recording claims and giving copies as herein specified

SECTION No. 6. Bar and bank claims shall be one hundred and fifty feet measuring in a straight line up and down the creek and extending from low water mark back into bluff as far as may be desired Water or creek bed claims shall be one hundred and fifty feet in a straight line up and down creek from one side of creek to the other computing distance when creek is at low water Low water mark shall be reconed at water Edge on 15th of Sept

SECTION No. 7. Each miner shall be allowed to hold one bar or bank claim and one creek bed claim and one lead claim Each miner shall if he holds more than one claim as above by purchase or otherwise within five days (reconing from time of obtaining claim) commence and work the same else the same will be Jumpable every miner during sickness shall hold his claim the same as though he had worked it every day but otherwise than in sickness from the twentieth of June to first day of October in each year he shall work his claim at least one day in ten or else the same will be Jumpable but from the 1st day of October to the 20th day of June in each year if he or they have complied with the requirements hereof as to recording he shall hold the same as though he had worked it every day and in case where a company are working one or more claims any one or more members of the company may buy out the interest of the balance of the company and hold the Joint claims as the original company could have done had they not parted or changed their interest

SECTION No. 8. When any miner miners or company of miners shall locate and commence a head ditch out of this creek shall hold and their successors to claim shall hold the first right and choice of water in said ditch and no person without the consent of the owner of said ditch first obtained work or dig holes or ditch or ditches within twenty feet on lower side of said ditch and ten feet on upper side of said ditch and any proprietor of said ditch may extend his ditch down the creek to any distance where he will not intefere with the rights of others

SECTION No. 9. If any person or persons shall be guilty of stealing any property whatsoever in this district and he or they be found guilty by a majority of a Jury of twelve chosen to try his or their guilt or innocence he or they shall be sentenced to immediately restore the property stolen and to pay to the party injured all damages sustained directly or indirectly in consequence of the theft and can cause the guilty party shall not so restore and make good all damage as aforesaid the injured party may take sufficient property of the defendant found in this district to satisfy all damage and dispose of it in any way he may deem proper and the defendant shall also be banished forever from this district and he failing to leave immediately on notice shall receive not less than five nor more than twenty nine lashes and in case the value of the property stolen be over one hundred dollars he shall be hanged by the neck until he is dead the injured party may proceed to stake his property and remunerate himself for damages sustained as above

SECT. No. 10. *Resolved*, that the Bars named as Janesville and Story bars be held by their present owners until such time as the water may lower in the creek so that they may be worked to advantage as the water now covers the only pay that can be obtained off of the above mentioned bars

JUNE 20th 1860

As amended that all claims under circumstances shall be held by their present owners untill water falls

Meeting was held on the 14th of July 1860 And the following resolutions were passed

SECTION No. 11. *Resolved by the miners of Union District*, that whereas Jerome J White was duly elected recorder of this District on the 20th day of June 1860 and the record book having been wrongfully withheld from him any record professed to have been made in said book since the above named date at five o'clock p. m. are hereby declared null void and of no affect whatever therefore said record book shall forthwith be placed in possession of said recorder who is hereby authorized to expunge from said record book all false records made by any person whatever since the date and hour above stated

UNION DISTRICT July 14th 1860

J J WHITE *Recorder*

SEC. No. 12. *Resolved by the miners of Union District*, that all mining claims located in this district which have been purchased in good faith or held otherwise, and duly recorded shall be held for the term of one year from this date without being worked in case it is desired by the owners of the same

J J WHITE *Rec*

UNION DISTRICT *July* 14th 1860

Resolved by the Miners of Union District, that the construction and true intent of the law of this district relative to what constitutes a bar claim is that it shall apply to all parts of claims of fifty feet each whether they are located together or separately so that one bar claim shall not be more than one hundred and fifty feet up and down Clear Creek and from the bed of the same up the side of the Mountain and the working of any part of said claim by the owner of the same in any manner he may think proper for any time whatever once in ten days after the 19th day of June 1860 is hereby declared to be a full compliance with the law of this district regarding the washing and holding bar claims

J J WHITE *Rec*

UNION DISTRICT *July* 14th 1860

Meeting of the miners of Union District in persuance of previous notice and the following business was transacted in the absence of the president C W Bowers was called to the chair pro tem John Bell esq was unanimously elected Pres of Union District for one year and Benjamin Cherry W W Pierce I W Whitlatch was elected Vice President of Union District and I C McClelland for recorder and each officer to hold his office for one year from date of election Meeting adjourned to meet Dec 10th 1860 at the hour of 2 o'clock p. m.

UNION DISTRICT *December* 4th 1860

I C McCLELLAND
Recorder of Union District

MEETING OF THE MINERS OF UNION DISTRICT, DEC 10TH 1860

The following resolutions were unanimously adopted

Resolved, That all creek bed claims that has been worked by the first of January A. D. 1861 to hold the same as mill or water privilidges by the present owners

Resolved, [illegible] owners not represented by the proper owners by the first day of May A D 1861 shall be jumpable

Resolved, That no person or persons shall cause any dams to be removed or lowered that shall be completed by the first day of January A. D. 1861.

Resolved, That no lawyer shall be permitted to practice law in any court in the district under a penalty of not more than fifty nor less than twenty lashes and be forever banished from the district

Resolved, That each and every miner has the right to hold one preemption claim on any or all leads discovered in the district for one year without working the same and all discovery claims as real estate

Resolved, That all building lots shall be fifty ft front and two hundred feet deep and that each and every person shall be entitled to one lot by preemption and all lots purchased in good faith shall be considered as real estate

Resolved, That all recording done since the recorder left until the books came into the hands of the new recorder is illegal and the new recorder is to record said recording over free of charge

MEETING OF THE MINERS OF UNION DISTRICT MARCH 9TH, 1861

John Bell was called to the chair and A O Hallock was elected Recorder of Union

A motion was then made to appoint a committee of five to revise the laws and report on the following Saturday at a general meeting of the miners which was carried

Moved to adjourn until the following Saturday

UNION DISTRICT, *March* 10 1861

A O HOLLOCK *Recorder*

UNION DISTRICT *March* 16th 1861

Meeting met pursuant to adjournment

Called to order by the President

Moved and carried that John Bell act as chairman of the meeting

Moved and carried that C Coleman act as secretary of the meeting

Moved and carried that the upper line of Independence District be the upper end of Buckeye Bar as claimed heretofore

Moved and carried that the following amendments to the constitution be adopted (*i e* the report of committee)

Resolved that the three vice Presidents be stricken out and a Justice of the Peace and Constable be inserted and the officers of presidents and Justice of the Peace may be filled by the same person if elected Carried The following amendments to section 4 be adopted

Resolved that it shall be the duty of the president to preside at all miners courts and meetings of the miners and in case of sickness or absence the miners may choose one of their number to sit in his place

(The balance of the amendments are embodied in report of committee appointed at the last meeting to revise the laws of the district)

Carried that the revision of section No 5 be adopted as reported by committee

Carried that the revision of section No 6 be adopted

Carried that the revision of No 7 be adopted

Carried that the substitute for section No 9 be adopted as reported by the committee

Carried that the resolution in regard to hill claims be adopted

Carried that the resolution in regard to gulch claims be adopted

Carried that the resolution in regard to town lots be adopted

Carried that the resolution in regard to lode claims be adopted

Carried that the resolution in regard to mill claims be adopted

Carried that the resolution in regard to tunneling be adopted

Carried that all persons having mill or water claims must represent them on the first day of May 1861 at the recorders office

Carried to discharge the committee

Carried that John Bell be elected Justice of the peace

Carried that M M Pierce be elected constable

Carried to adjourn

C C COLEMAN, *Secretary.*

Report of Committee

(All of the following amendments were adopted)

Section No 3 as revised

Resolved, that the three Vice Presidents be stricken and a Justice of the peace and constable be inserted and the office of president and Justice of the Peace may be filled by same person if elected

Section No 4 as revised.

Resolved, that it shall be the duty of the president to preside at all miners Courts and meetings of the miners and in case of sickness or absence the miners may chose one of their number to act in his place the Justice shall have power same as president to issue writs of summons warrants attachments and executions and the Constables shall serve the same as directed Cases of suits may be brought before the Justice or miners court There shall be no appeal from the Miners Court but a rehearing may be granted by the miners Either party when suit is brought before the Justice can within five days from the rendering of Judgment take an appeal to the miners Court after

having paid all costs that may have accrued in former trial the President or Justice require two responsible persons as surity bonds for cost of prosecutions if the plaintiffs five days notice shall be given to defendant by summons The fees of all officers in this District shall be double the fees as provided in the Kansas code

Section No 5 as revised

Resolved, that we strike out word large and insert the word advance and that fees shall be for recording fifty cents one certificate only given and not important to post one on the stake

Section No 6 as revised

Resolved that all creek bed claims shall be considered as real estate for eighteen months from the date of this law said claims consisting of one hundred and fifty feet in a straight line with the creek and to be recorded unless working the same

Revision of section No 7

Resolved, that all bar claims shall be real estate after a shaft is sunk to the bed rock

Substitute for section No 8

Resolved that any person shall be tried for stealing before the miners court and if found guilty shall receive not less than twenty nor more than one hundred lashes and for stealing a yoke of oxen or one mule horse or pony he shall be hung by the neck until he is dead and in all cases the party having property stolen shall be made good by the one found guilty of stealing the same if in his power The president will in all cases appoint the persons to whip and the whipped party banished from the mountains forever and not complying within two hours the whipping to be repeated

Resolved, that all mill or water claims shall be considered as real estate when improved to the amount of one hundred dollars ($100) Said improvements must be made by the first day of July next Any person or company of persons owning four or five claims that connect or Join each other and having a mill on either will hold his claims as named above

Resolved, that any resident of the district may claim one building lot by preemption one hundred feet fronting the creek and running back two hundred and fifty feet from said creek Said lot shall be considered as real estate after the foundation of a house has been laid and recorded as provided by law and in case no foundation is laid within thirty days after taking of the same the lot shall be Jumpable

Resolved, that the discoverer of a lode shall be entitled to one discovery claim and one by preemption Said claims shall constitute one hundred feet by fifty feet and shall be considered as real estate when the crevice is found No person shall hold but one claim on the same lode by preemption Said claim shall be on record unless working the same

Resolved, that any person or persons engaged in tunneling shall be entitled to one hundred (100) feet each way from the tunnel of any lode he or they may strike that is not previously claimed and that he or they may have a right to twenty feet of any claim already claimed in lodes that they may strike All tunnels shall be considered as real estate after having been recorded Tunnels crossing other tunnels shall have twenty feet of Joint right of way

Resolved, that one man shall be entitled to one hill claim only except the discovery claim and said hill claims shall consist of fifty by one hundred feet running up the hill Said claims shall be worked every ten days one half day or be Jumpable Said claims shall be recorded unless working it Said claims shall be real estate after the bed rock is found

Resolved, that one person may hold but one gulch claim by preemption Said claims shall be one hundred (100) feet wide and run up or down the gulch 100 feet Said claims shall be worked one half day in every ten after the first of June or be considered Jumpable Said claims shall be recorded unless working it daily Sunday excepted or sickness preventing

A O HALLOCK

At a meeting of the Miners of Union District held April 5th 1861 pursuant to call of the president the following resolutions were adopted

Resolved, that it requires the segnatures of ten legal voters of this district to request the President to call a meeting of the Miners before it will be obligatory on his part and when such requisition is made the President must issue or post three notices one on Elkhorn Bar and one at the Recorders office And one at the lower boundary of the district three days previous to the meeing this to be reqniset in all civil cases And state in such notices what business is to be transacted

Resolved, that all ranch claims are real estate after having been recorded

Resolved, that no person shall be permitted to cut and haul timber out of this District

Resolved, that not less than ten legal voters can constitute a quorum to transact business at a miners meeting in this district

Resolved, that after this date no person will be entitled to vote in this district unless he be working in the district

A O HALLOCK *Recorder*

At a meeting of the miners of Union District held pursuant to call of president May 31st 1861 to elect a recorder Barnes & McKay candidates

Moved and seconded to vote by ballot carried.

Barnes 3 McKay 6.

McKay elected by a majority of 3

Moved that this be adjourned carried

A O HALLOCK, *Secretary.*
A T. McKAY, *Recorder.*

At a meeting of the miners of Union District met pursuant to call on notice Saturday Sept 21st 1861

E McClelland was called to the chair H Barnes secretary

On motion of Mr Boyd W. P. Cooper was choosen president

On motion Mr. W. P. Cooper was chosen Justice of the Peace

On motion John Oliver was chosen recorder

On motion Joseph Abert was chosen constable

Motion was made to adjourn & carried

H BARNES *Secretary of the meeting*
JOHN OLIVER *Recorder*

CLEAR CREEK COUNTY—GRIFFITH MINING DISTRICT.

GRIFFITH DISTRICTS *June the* 25, 1860.

The Miners of this District having met on this day and date above mentioned according to previous notice given and formed the following Code of Laws of which this District shall be hereafter governed

1st. *Resolved,* That George. F. Griffith is hereby Elected Recorder of this District to serve as Recorder from this date until June the 25th 1861.

2nd. *Resolved,* That E T Williams is hereby Elected Judge of the Miners Court of the said District to have and to hold said office from this date above mentioned until June the 25 1861

3rd. *Resolved,* That R M. Barker is hereby Elected Sheriff of this District to have and to hold said office from this date until June 25th 1861

4th. *Resolved,* That said Griffith District shall be bounded as follows. Commencing at a high point of Rock on the west side of Clear Creek some half mile above the Junction of said streams extending one mile and a half on each side of said stream in breadth and running up Clear Creek to the junction of the steams a short distance above the house of George F. Griffith & Company, thence up said streams three miles, and extending in breadth one mile and a half from the banks of each stream

5th. *Resolved,* All claims taken, and claimed for mill purposes, Lode Claims, Gulch Claims, Building sites taken, and claimed in the year of eighteen hundred and fifty nine, and represented by the party or partys or their agent or agents on the fifteenth day of June last shall be and are hereby held by said party or parties so having taken them. But all claims of any character whatever taken and claimed heretofore and unrepresented on the fifteenth day of June 1860 are hereby forfeited and liable to be taken up by other parties

6th. *Resolved,* All Laws passed heretofore by any previous meeting shall be and are hereby Repealed and shall be hereafter null & void

7th. *Resolved,* All Gulch claims, may extend one hundred feet up the Gulch on stream and the entire width on each side of said Gulch on stream

8th. *Resolved,* No Gulch claim or claims of any kind shall be taken for mining purposes when it interferes with a Quartz mill site previously taken by another party or parties or mill house or mill yard of the same or a building of any kind unless it be by the written consent of the proper owner or owners of the same

9th. *Resolved,* All Lode claims shall be no more than one hundred feet in length and extending fifty feet on each side of the lode

10th. *Resolved,* The Discoverer of any Lode shall be entitled to the Discovery claim and one claim in addition to the Discovery claim on said Lode which he shall file for Record in the office of the Recorder in five days after completing such discovery and prospecting.

11th. *Resolved,* No Person or persons shall be permitted to set stakes upon or take a claim on any Lode while the discoverer is prospecting the same and he shall have taken one claim in addition to the one discovered which he shall do in five days after making such discovery and completing this prospecting the same. Any one so offending shall be fined not less than fifty Dollars nor more than five hundred Dollars.

12th. *Resolved,* No person shall take up and claim more than one hundred feet on any one lode except in the name of the company he may represent. He or they may take up one claim for each member of the Company he or they may represent.

13th. *Resolved,* All persons taking up Watter claims hereafter shall not be entitled to more than three hundred feet on said stream by preemption on any one stream, but any person representing a company may take up and claim three hundred feet for each member of said company on the different streams in said District.

14th. *Resolved,* All claims for mill purposes, mining purposes, claims for any character building Lots &c. Acquired by preemption must be filed for Record in the office of the Recorder in five days after such preemption has been taken, and such premption must be marked when taken.

15th. *Resolved,* All claims of any character whatever acquired by purchase or sales of any kind relating to mining must be made in writing and the transfer or Bill of sale must be filed for Record in the office of the Recorder in ten days after such transfer or sale is made.

16th. *Resolved,* All claims taken by one Individual, in Recording, Transfers Bills of sale the fees of the Recorder shall be one dollar, but when a company is embodied in one transfer or Bill of sale or claim, then his fee shall be fifty cents for each Individual embraced in said company

17th. *Resolved,* All cases of Litigation coming before the Judge of the Miners court. The Judge shall be entitled to a fee of two dollars in each & every case so commencing, and in all cases the fees must be paid in advance by the party or parties instituting suit. If the party or parties are not satisfied with the decision of said Judge, then the party or parties may take an appeal from the decision of said Judge to a Jury of six citizens of said District, whose decision shall be final.

18th. *Resolved,* The Judge of the miners court shall be entitled to a fee of one Dollar for each summons or subpœna he may issue from his office

19th. *Resolved,* The Sheriff of this District shall be entitled to a fee of one Dollar for every Summons or subpœna he may serve and a fee of fifty cents on each Juror

20th. *Resolved,* The Jury when summoned shall be entitled to one each, The complainant in all cases arrising paying the cost acruing in advance, but upon the final decicion being rendered then the costs to be made out of the defeated party or parties

21. *Resolved,* All cases may be tried in five days after a summons may issue and the Judge may hold this court on any Monday

22d. *Resolved,* The Sheriff shall on Judgement being rendered final make his levy and advertise property in three public places in said district and expose said property for sale at public auction in ten days after such levy having been made, to the highest & best bidder

23. *Resolved,* That any one individual can take up and claim one hundred and sixty acres of Land for Ranching purposes, and any one individual may take up and claim one hundred and sixty acres of Land for each member of a company he may represent, by representing the names of the company. he may represent, and staking the land so taken and claimed with the names of the party or parties so staking & claiming, which must be filed with the Recorder of this District for record in ten days after takin or claimed

24th. *Resolved,* That all persons working a lode by tunnel shall be entitled to two hundred feet on each side of said Tunnel that said Tunnel may in its course pass lodes in its course if so the party or parties constructing said Tunnel shall be entitled to two hundred feet on each lode it may pass—each side of said Tunnel—but must not interfere with any vested rights

25th. *Resolved,* That any member of a company may represent the claims of the company and said claims shall be represented and worked within three months from the time such claim or claims are filed for Record, but any company working one claim shall hold without working all other claims that they may have in this District

26th. *Resolved,* That all Watter claims or mill sites shall be held unimproved for Twelve months from the time such claim or claims are taken and filed for Record

At a meeting of the miners of the Griffith District held on the 22nd day of September 1860 according to previous notice when Jilson Ray was called to the chair and Geo F Griffith acting as secretary when the following resolutions were adopted.

Resolved 1st. That all water Mill & Mining claims now taken claimed and recorded or that may be taken & recorded hereafter shall be held without improvement until the (10) tenth day of July. A. D. eighteen hundred and sixty one (1861)

Resolved 2nd. That any person or persons Discovering lodes of Quartz Gold Silver or other valuable minerals shall be entitled to Two (200) hundred feet in length on the course of the lode and Twenty-five (25) feet on each side of the Center of the Quartz or Mineral Crevice on each and every lode he or they may discover

Resolved 3rd. That all and every Discovery claim now taken staked and recorded or that may be taken staked and recorded hereafter shall be held exempt from execution or attachment.

Resolved 4th. That any person or persons taking and claiming Lode Claims in this District shall be entitled to hold and work any and all Quartz Valuable metals and minerals of any and all kinds, whatsoever embraced within the limits of his or their claims of fifty in width by one hundred (100) feet in length measuring twenty five (25) feet each side of the center of the Quartz or mineral crevice and no person or persons shall lawfully enter upon any part or parcel of such claim or claims for the purpose of Digging or Mining without the consent of the proper owner or owners.

Resolved 5th. That resolution ninth of the Laws of this District be so amended as to read as follows, That all lode claims shall be no more than one hundred (100) feet in length on the course of the lode and twenty five (25) feet on each side of the center of the Quartz or Mineral crevice

Resolved 6th. That no person or persons shall take or cause to be taken from this district into another District, any wood, square, or building timber or logs of any kind and any person or persons so transgressing shall be fined the sum of fifty (50) dollars for the first offence and double that amount for every other offence one half of such fines to go to the improvement and one half to the benefit of the District, such fines to be collected as provided in civil suits

No other business coming before the meeting they adjourned

JILSON RAY *Chairman.*

GEO F. GRIFFITH *Secretary.*

GRIFFITH DISTRICT *Jan 12th* 1861

At a meeting of the Miners of the Griffith Mining District held at the office of the recorder of said District according to previous notice when James Burrell was called to the chair and Geo F. Griffith acting as secretary when the following resolutions were adopted

Resolved 1st. That any person or persons legal voters of this district may call a meeting of the miners of the district for any purpose or purposes whatever by tendering to the recorder of said district the sum of two ($2.00) dollars, it shall then be the duty of the Recorder to call such meeting by posting three different notices in three different conspicuous places in the district said notice to specify the time place and object of said meeting, said notices to be posted at least five (5) days in advance of said meeting.

Resolved 2nd. That any person holding a claim im this district which is duly recorded in the books of the district, shall be considered a legal voter in all affairs and meetings of this District.

Resolved 3rd. That any officer or officers of this district absenting themselves from this district for the space of sixty (60) days shall forfeit their office and the same shall be declared vacant And any officer being about to quit the district for a space of time shall appoint a deputy to act in his absence.

Resolved 4th. That any office or offices in this district becoming vacant a miners meeting may be called by the resident voters of the District and at said meeting, said vacancy or vacancies shall be filled by the election of officers to fill the vacancy for the unexpired term of said office or offices

Resolved 5th. That all purchase claims the Deed or transfer of which is duly recorded in the books of the district shall be held as real estate.

Resolved 6th. That any claim or claims entered upon the records of this district the certificates of which have not been issued nor the fees for recording the same paid over at the expiration of the term of sixty (60) days from the date of recording the same shall be sold at public auction by the recorder of the district and the moneys accruing from said sale after the reduction of the recorders fees and the expense of said sale shall revert to the district for the benefit of the same, The recorder shall give at least (10) ten days notice of the sale of such claims by posting three notices in three different conspicuous in the district.

Resolved 7th. That a committee of three be appointed to measure the water or mill Privileges in this district and number the same in rotation, commencing at the lower end of the district, and that said committee report at a meeting to be called on the twenty-sixth (26) day of January A. D. 1861

Resolved 8th. That Messrs Geo F. Griffith, James Burrell and W. L. Gibson form said committee.

Resolved 9th. That it be the duty of the sheriff of this district to enforce resolution sixth (6) of the resolutions passed at a meeting held September 22nd A. D. 1860 taking such measures for the enforcement of said resolution as will prove effective

Resolved 10th. That all votes for officers of this district shall be by ballot and that the president and recorder be the board of canvassers for all such elections

Resolved 11th. That the President Recorder and Sheriff of this district shall be required to give good and sufficient security in the sum of one hundred dollars the bonds of the president to be approved by the recorder and the bonds of the recorder and sheriff to be approved by the president.

Resolved 12th. That the officers of this district shall be duly qualified and sworn in the following manner The recorder of the district shall qualify the President and sheriff and the president shall qualify the recorder.

On motion proceeded to election of officers to fill vacancies for the unexpired term when James Burrell was elected President Cyrus Hiltabiddle was elected sheriff.

No other business coming before the meeting adjourned until Jan 26th 1861

JAMES BURRELL *Chairman*

GEO F. GRIFFITH *Secretary*

The adjourned meeting Jan 12th 1861 met according to adjournment at the office of the Recorder of this the Griffith District on Jan 26th 1861

When the committee adjourned to measure and number the water or mill claims of said District submitted the following report which was unanamously received and adopted as follows—to wit

Whereas the water or mill claims of this the Griffith mining district were not regularly measured and marked, and likely in the future to cause trouble and litigation and whereas we the undersigned were at a meeting duly called on the 12th day of Jan 1861 appointed a committee to measure and number said claims commencing at the lower end of said district Therefore your committee begs leave to submit the following report viz

Your committee commenced according to instructions and measured up the South Clear Creek to the junction of the west and south forks of said stream and found seventy-one (71) claims, sixty-nine of which are full claims of three hundred (300) feet each and two (2) fractional claims nineteen (19) and seventy-one (71) nineteen containing two hundred and forty-one (241) feet and seventy-one (71) containing one hundred & forty-two (142) feet and pre-empted according to the records of said District as follows to wit: No 1 Bates. No's 2 3 & 4 Hardin & Co. No 5 Ray. No's 6–7 & 8 Simmons & Co. No 9 Leavenworth. No 10 Burrell. No 11 Coulson. No 12 Coulson, No 13 Wooden, No 14 Crawford No 15 Russell No 16 Davis No 17 King. No 18 Soggs No 19 & 20 Jones & Co. Nos. 21. 22. 23. 24. 25. 26. 27. 28 29. 30 31. 32 South Clear Creek Mining Co. Nos 33 34. 35 & 36. Mitchell & Co. No 37 Heltabiddle No 38 Fellows. No 39 Griffith No 40 Griffith Nos 41.–42–43–44–45–46–47–48–49–51–52–53–54–55 vacant. Nos 56 & 57 Cook & Co 58. 59 & 60 Darling & Co Nos 61–62–63 & 64 Gibson & Co. Nos 65–66 & 67 Pierce & Co. No's 68. 69. 70–& 71 Queen & Co. also your committee measured up the South and West forks of said stream and finding them pre-empted to the Records of said District as follows. Towit.

West fork of South Clear Creek 1. 2. 3. 4 & 5 Hornel & Co. No 6 Tush No 7 Turber No 8 Barker No 9 Griffith No 10 Reush No 11 Griffith No 12. 13 & 14 Laramer & Co. No 15 & 16 Griffith G. F. S. Y. No 17 Gooding No 18 Burrell No 19 Leavenworth.

South fork of South Clear Creek—No 1 Griffith Nos. 2. 3. 4. & 5 Chapeze & Co. Nos 6. 7. & 8 Griffith & Co. Nos 9. 10–11–12 & 13 Mitchell & Co. Nos 14–15. 16. 17 & 18 Quaintance & Co. No 19 Sweney No 20 Case

GEO F. GRIFFITH.
JAMES BURRELL.

No other business being before the meeting they adjourned *sine Die.*

JAMES BURRELL, *President.*

GEO F. GRIFFITH, *Sec'y.*

The Miners met pursuant to call March 2nd 1861 President Presiding Geo F. Griffith acting as secretary, when the following resolutions were adopted

Resolved, 1st. That this meeting as per call of recorder appoint a committee to confer with a committee from the Union District appointed for the purpose of defining and establishing the Territorial boundaries between this and said District to consist of Geo F. Griffith James Burrell and W. L. Gibson and report at a meeting of the miners at the recorders office on Saturday Mch 9th at 9 oclock a. m. 1861 and also to report permanent boundaries for this district.

Resolved, 2nd. That this meeting appoint a committee consisting of James Burrell. D. T. Griffith and Henry Chapeze to codify & revise the laws governing this district and report at a meeting of the miners Saturday at 9 oclock a. m. Mch 9th 1861

Resolved, 3rd. That all timber to be used for House logs must be used within ten (10) days of felling the same unless it be shown that some unavoidable accident prevented the requirements of this section.

Resolved, 4th. That all Saw Logs shall be hauled to the Mill site for which they are intended within thirty days from the time of felling the same and they must be trimed and marked at the time of felling.

Resolved, 5th. That no party or parties shall be allowed to fell timber for Saw Logs until they have their Mill machinery on the ground and are using ordinary diligence toward the erection of the same.

Resolved, 6th. That any and all timber now lying upon the ground in the tree shall be forfeited within the space of thirty days from this date by public notice being given by posters being posted in three principal points in this district after the expiration of said time, said timber shall become common property of the district and be governed as standing timber according to resolution fifth (5) of the resolutions and no person shall convert or change the condition of said fallen timber until they comply with said resolution No five (5)

No other business the meeting adjourned to meet on Saturday Mch 9th at 9 oclock a. m. 1861.

JAMES BURRELL, *President.*

GEO F. GRIFFITH, *Sec'y.*

The miners met persuant to adjournment Mch the 9th at 9 oclock a. m. A D. 1861, when the following committee reports and resolutions were submitted and adopted.

Report of committee on boundary line between Union and Griffith Districts.

The commissioners appointed to establish the boundary and dividing line between Union and Griffith Districts agree as follows, to wit:

Beginning at a point upon the west line of Montana District due east from the cone of Douglass Mountain Thence west to said cone and along the main ridge of said mountain through Union Pass and along the summit of Columbian Mountain westerly as far as the west line of Union district. about seven miles Mch 4th 1861

GEO F. GRIFFITH.
W. L. GIBSON
JAMES BURRELL,
Commissioners from Griffith District

GEO. L. NICKOLLS
M. D. SHORT,
Commissioners from Union Dist.

Report of Committee on Permanent Boundries

We the Committee appointed for the purpose of defining and establishing the entire boundry lines for this district By leave submit the following:

The boundries of this district shall commence at a point on the west line of Montana District due east from the cone of the Douglass Mountain, thence west to said cone and along the main ridge of said mountain, through Union Pass and along the summit of the Columbian Mountain to the Democrat Mountain thence along the summit of the same to the Republican Mountain thence along the summit of said mountain to a point on said summit opposite a point on west branch three miles above its junction with the south branch of South Clear Creek, thence in a south easterly direction to a point on the said south branch three miles above said junction thence east to the summit of the mountain side of said south branch thence north to the summit of Independent Hill, thence along the summit of said hill, until said boundry line may reach a point on the west line of Montana District thence north to the place of beginning

Resolved, 1st. That the recorder is hereby authorized to copy the original laws of this district into a book to be kept for the purpose except such as are repealed by the revised laws adopted March 9th 1861 and that he be allowed a reasonable compensation for the same to be paid from any moneys in the treasury not otherwise appropriated also to copy the revised laws in same book

No other business coming before the meeting they adjourned *Sine Die*

JAMES BURRELL *President*

GEO F. GRIFFITH *Sec'y*

Report of a committee consisting of James Burrell D T Griffith and H Chapen appointed March 2d 1861 for the purpose of codifying and revising the laws of this district who reported the following which was adopted by a miners meeting held at the Recorders office March the 9th A D 1861

BOUNDARIES—CHAPTER 1ST.

SECTION 1. The boundaries of this district shall commence at a point on the west line of Montana District due east from the cone of the Douglas mountain thence west to said cone and along the main ridge of said mountain through Union Pass and along the sumit of Columbian to the Democrat Mountain Thence along the summit of the same to the summit of the Republican Mountain Thence along the summit of said mountain to a point on said summit opposite a point on West Branch three miles above its Junction with the south branch of South Clear Creek And thence in a southeasterly direction to a point on the said south branch to a point three miles above said Junction Thence East to the summit of the mountain on east side of said South Branch Thence North to the summit of Independent Hill Thence along the summit of said hill untill said boundary line may reach a point on the west line of Montana District thence North to the place of beginning

OFFICERS

SEC. 1st. The officers of this district shall consist of a President (who shall be Judge of the Miners Court) a sheriff a surveyor and a Recorder who shall ex officio be treasurer and secretary of the District which officers shall be elected on the third (3) Saturday of March of each year and hold their officers for the term of one year from the date of their election or untill their successors are elected and qualified unless he sooner die Remove from the District resign or is removed for misconduct as hereinafter provided

SEC. 2nd. When any officer (except the President) of this District shall be guilty of misconduct or malfeasance in office it shall be the duty of the president when an affidavit is made setting forth the specific charge to issue a notice to such officer to appear before him for trial The president shall appoint a prosecuting and the trial shall be conducted according to the Laws for Misdemeanor

SECTION 3. In case the president of the district charged with misconduct in office it shall be the duty of the Recorder to perform the duties prescribed for the president in the foregoing section

SEC. 4. Each officer before entering upon the duties of his office shall take an oath to support and faithfully execute all the laws of this district

DUTIES OF OFFICERS—DUTIES OF PRESIDENT—CHAPTER 3

SEC. 1st. It shall be the duty of the President to preside at all legally called meetings of the miners and to call special meetings by posting three Notices within the district at least three days before the time of said meeting When in his opinion there is a necessity for the same or when a petition is presented signed by a majority of the Citizens specifying the particular object of the meeting which object must be distinctly stated in the notice

SEC. 2nd. It shall be the duty of the president to sign all orders on the Treasurer for money legally appropriated and all deeds for property belonging to the district which the miners of the District authorize to be sold and also to have the care of any property belonging to the district except such as is the special duty of some other officer to protect

It shall also be his duty institute suit against any person guilty of distroying or injuring any property belonging to the district or committing any offence recognized in the law as a misdemeanor nuisance or crime and to appoint a suitable person to conduct the prosecution

SEC. 3rd. It shall be the duty of the President to appoint an officer pro-tem. to fill any vacancy that may occur until each vacancy can be filled by a regular called election

DUTIES OF JUDGE CHAPTER 4TH

SEC. 1st. The Judge of the miners court shall execute bond with good and sufficient security to be approved by the Recorder in the penal sum of $500 five Hundred Dollars for the faithful performance of his duties

SEC. 2. The miners court shall have Jurisdiction over all civil contracts made in this or any other District in Colorado Territory provided the parties were citizens of this District at the time of making the contract or provided the defendant is a citizen of this district at the time of the institution of the suit

SECTION 3rd. It shall be the duty of the Judge in all cases before entering suit to require a bond of good and sufficient security for the payment of all costs and for all damages in case of attachment being wrong fully sued out and also require of both plaintiff and defendant in any suit prepayment of costs before the rendition of Judgment such costs to be refunded to the party gaining the suit the adverse party paying all costs

SEC. 4th. No suit shall be brought in the miners court for indebtedness contracted in any other state or Territory except by consent of all the parties interested and no execution shall be collectable on Judgment rendered upon such indebtedness except as hereinbefore provided

SEC. 5th. The Judge of the miners court shall keep a docket upon which a correct record of all the proceedings of his court shall be kept and he shall file and safely keep all papers connected with suits before him

SEC 6 It shall be the duty of the court to levy a fine not to exceed ten dollars for contempt of court said fine to be collectable by sale of property on execution and the proceeds of the same to be paid into the district Treasury—

SEC 7th It shall be the duty of the Judge to issue an attachment when the plaintiff in any suit shall make oath that he believes the defendant is about to abscond or dispose of his property to defraud his creditors

SEC 8th The Judge of the Miners Court shall have full probate Jurisdiction within this district

SEC 9 It shall be the duty of the Judge of the Miners Court to pay over to the treasurer of the district all monies coming into his hands for fines

DUTIES OF RECORDER

SEC 1st It shall be the duty of the recorder safely to keep the records of the district and to record all papers upon the payment of his fees to act as secretary at all public meetings of the district and by virtue of his office as treasurer to keep all monies of the district paid to him subject to the drafts of the President Also to keep all vouchers so that at any time he may be able when called upon to exibit the financial condition of the District

SEC 2 The Recorder may appoint a deputy who shall be duly sworn for whose special acts he shall be responsible

SEC 3 It shall be the duty of the recorder to execute a bond with good and sufficient security in the penal sum of five hundred Dollars, to be approved by the president and Judge of the district for the faithful performance of the duties of his office

DUTIES OF SHERIFF—CHAPTER 6TH

SEC 1st The Sheriff of the District shall execute a bond with good and sufficient security to be approved by the president and Judge of the district in the penal sum of ($500) five hundred dollars for the faithful performance of the duties of his office

SEC 2d It shall be the duty of the sheriff to execute all papers issued by the proper officers and make due returns entered thereon

SEC 3d It shall be the duty of the Sheriff to receive and return in person all papers which it is his duty to serve and execute and to be present at all sittings of the court and to perform such other duties as may be required of him by law

DUTIES OF SURVEYOR—CHAPTER 7TH

SEC 1st It shall be the duty of the surveyor of the district to stake and level Claims when called upon to do so by any person upon the payment of his fees to decide all questions of measurement between parties and to survey stake and plat all building lots within this district

OFFICERS FEES—CHAPTER 8TH

SEC 1st The Judge of the miners Court shall be allowed (50c) fifty cents each for issuing all papers except subpœnas for which he shall receive (25c) twenty-five cents if containing one name and (50c) fifty cents if containing more than one name for docket entry ($1.00) one dollar For trial of each cause ($150) one dollar and fifty cents For each continuance of a cause ($100) one dollar

SEC 2d The Recorder shall be entitled to (50c) fifty cents for recording each claim (50c) fifty cents for a deed or any instrument of not more than one hundred words and at the rate of (50c) for each additional 100 words

SEC 3d The Sheriff shall receive the sum of fifty cents (50c) each for serving all papers except subpœnas for which he shall be entitled to (25c) for each person subpœned When on official business outside of the district he shall be allowed 10c for each mile necessarily travelled he shall also be allowed 50c each for three notices in case of sale under execution and ($100) one dollar in selling property for empanneling a Jury of six ($100) one dollar For summonsing a Jury for a regular term of court ($150) one dollar and fifty cents For waiting on the Court (50c) for each cause tried

SEC 4th The Surveyor shall receive (50c) fifty cents for each building lot surveyed staked and platted to be paid out of any money in the district Treasury not otherwise appropriated and he shall receive ($5.00) five dollars per day for staking and surveying claims and deciding questions of measurement between parties to be paid by the parties requesting the same

SEC 3d Jurors shall each be allowed (50c) fifty cents an hour from the setting of the court until dismissal of the Jury

SEC 6 Witnesses shall be allowed ($1.00) one dollar for each attendance upon a cause which shall be paid in advance if required

LAWS FOR THE MINERS COURT—CHAPTER 9

SEC 1st regular terms of the miners court shall be held on the (1st) first and (3d) third Tuesday of each month and all writs to be made returnable at any term shall be served and returned on or before the saturday preceeding said term provided that nothing herein contained shall be so construed as to prevent trials for crime or misdemeanor at any time

SEC 2d Any person wishing to commence a civil action in the miners court shall file with the Judge of said Court a statement in writing setting forth the grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain an unequivocal language And if the defendant does not appear and answer to said complaint the court shall require plaintiff to make oath to the correctness of his complaint and that he knows of no legal ofset which the defendant may have When complying with the foregoing requirements the Judge may enter Judgment for the amount claimed together with all costs of suit

SEC 3d Depositions may be used in evidence before the Miners Court provided also that the adverse party shall have notice of the time and place when and where each deposition will be taken and have the right to crossquestion such witness Notice however need not be given when the witness is not a presedint of this Territory

SEC 4th The cause shall be continued except by consent of both parties or upon the affidavit of one of the parties or his attorney setting forth good cause for continuance or for the absence of a material witness in which case the parties shall state on oath that he cannot safely proceed to trial without said witness and that he believes that he can procure the testimony of said witness at some specified future time

SEC 5th Garnishee process may issue as a part of the original writ to be served upon both the defendant and Garnishee or separately or may be issued after execution is returned unsatisfied and in either case if the garnishee shall pay the Defendant the amount of his indebtedness after service of said notice And before the final Judgment (if any is obtained) is paid he shall be liable to the plaintiff for such indebtedness

SEC 6th The Jury for each term of the Court shall be drawn on the next Thursday preceiding each term in the following manner

The Recorder shall furnish the names of (25) Twenty Five good and lawful men citizens of the district which names shall be placed in a box for that purpose from which the Recorder shall draw (9) nine names who shall be summoned by the sheriff to serve as Jurors for the next succeeding term but no person shall be compelled to serve on the Jury for two succeeding terms

SEC 7 New trials may be granted for good cause shown according to the rules of common law provided the party applying for a new trial first pay all costs that have already accrued

SEC 8th It shall be optional with the parties to any suit whether the same shall be tried by the Judge of the miners court or by Jury

SEC 9th When either parties require a Jury it shall be the duty of the sheriff to draw from the box the number required and if for cause or peremtory Challenge the regular pannel is exhausted it shall be his duty to summons others until the pannel is full

SEC 10 The regular number of jurymen to try civil causes unless otherwise agreed upon by the parties shall be three

SEC 11 Each party shall have the right to three preemtory challenges and as many as necessary for cause

SEC 12 Appeals—Either party feeling aggrieved may appeal from a decision of a Jury of three or the Judge to a Jury in number not exceeding twelve such number to be agreed upon by the parties

SEC 13 In cases where an appeal is taken as provided in the foregoing section the case shall be filed to the next term of court to which the appeal is taken provided at least five days elapsed between the time of taking such appeal and the next regular term of the court to which the appeal is taken unless otherwise agreed upon by the parties

MOTICE—CHAPTER 10th

SEC 1st Notice shall be considered served when read to the party or parties or by having a copy of the same at their usual place of resedence when not to be found within the district

SEC 2d Attachments shall be considered served by being read to the partys together with a list of the property attached and in case the party or parties cannot be found within the district by leaving a copy of the same at the usual place of residence

SEC 3d All executions issued from the Miners Court shall be made returnable within twelve days from their date and the sheriff shall note on each execution the day and hour of receiving the same and return the said exicution within the twelve days whether satisfied or not with his official acts endorsed thereon

SEC 4th Any property sold under execution shall be advertised by posting notices in three conspicious places in the district at least five days previous to the day of sale said notices must desegnate the day and hour of sale together with the description of the property to be offered for sale The sheriff may adjourn the sale to some future day within the time specified for the return of the execution provided there are no bids or the bids are unreasonably low Notice of each postponement shall be given during the hours of sale

PUBLICATION

SEC 1st When suit is instituted against any person who is absent from or a non resident of this district service may be had by posting notices or coppies of the summons in three conspicious places in the district at least ten days previous to the day of trial a copy of one of said notices shall be sworn to by the sheriff who posted the same stating how when and where he served the same which shall be filed with the papers with the case

SEC 2d When Judgment is rendered upon publication as provided in the foregoing section the party defendant shall be entitled to a new hearing in the said cause within (60) sixty days after the rendition of Judgment by paying all costs as showing to the satisfaction of the court that injustice has been done him in the case and in case the Judgment is reversed he shall be entitled to receive any property or its value which may of been sold under execution or such Judgment

EQUITY—CHAPTER 12th

SEC 1st The Miners Court shall have equity Jurisdiction and shall be governed by common law rules of equity Provided either party shall have the right to trial by Jury and provided either party shall show to the satisfaction of the court that he cannot obtain justice under the rules of law

EXEMPTION—CHAPTER 13

SEC 1st There shall be exempt from levy and sale upon exicution the following articles which are necessary for present use by the defendant mining tools mechanics tools beding clothing cooking utensils necessary provisions for three months one claim so designated on the records and in case of a man of a family residing in the district a dwelling house not exceeding ($300) Three hundred dollars in value and the lot upon which the same is situated together with such articles of household furniture as are strictly necessary provided that nothing in this section shall apply to judgment rendered for labor or wages performed previous to this date

REDEMPTION—CHAPTER 14th

SEC 1 The defendant on any cause on which suit is not already commenced shall have the right of redemption on any claim sold or execution by paying to the court for the benefit of the purchasers The amount of the purchase money to gether with interest at the rate of (5%) five per cent per month if paid within (60) sixty days from said sale

CITIZENSHIP—CHAPTER 15th

SEC 1st Any male person eighteen years of age having resided in this district (10) ten days next preceeding an election or Miners Meeting shall be entitled to vote and to all the rights of citizenship

CRIMINAL LAWS—CHAPTER 16th

SEC 1st Any person guilty of wilful murder upon conviction thereof shall be hung by the neck until he is dead

SEC 2d Any person guilty of manslaughter or homicide shall be punished as a Jury of twelve men shall direct

SEC 3d Any person shooting or threatening to use any deddly weapons except in self defence shall be fined in a sum not less than ($50) fifty dollars and not more than ($500.00) five hundred dollars and receive in addition as many stripes on his bare back as a Jury of (6) six men may direct and be banished from the district

SEC 4th Any person found guilty of petit larceny shall be fined in a sum double the amount stolen and such other punishment as a Jury of six men may direct

SEC 5th Grand larceny Any person found guilty of grand larceny shall be fined in a sum double the amount stolen and receive as many lashes on his bare back as a Jury of six men may direct and be banished from the district

FORGERY—CHAPTER 6

Any person found guilty of forging deeds transfers bills of sale or Jumping claims legally held upon the records difacing names or removing stakes from their proper places shall pay a fine of ($5) five dollars for each offence and double the amount of damages sustained by the injured party said damages to be determined by a Jury of six men

SEC 7th Any person who shall cause or commit any nuisance affecting or liable to affect the health of the people of this district upon conviction thereof shall pay a fine not exceeding ($100) one hundred dollars to be determined by a Jury of six men and remove such nuisance within a reasonable time such time to be determined by a Jury of six men

SEC 8th Any person convicted of causing a nuisance and failing or refusing to remove the same shall suffer the same penalty as provided in section seven of this chapter for each succeeding day after the expiration of the time required to remove the same and such other punishment as a Jury may direct

SEC 9th All and every offense omited in the foregoing sections shall be determined by a Jury of six men and punished as they may direct

SEC 10 Larceny defined any theft not exceeding ten dollars in value shall be deemed petit larceny and any theft over that sum in value shall be deemed grand larceny

CLAIMS DEFINED—CHAPTER 17TH

SEC 1st The term claim as used in this district shall be construed to mean when applied to a lode (100 ft) one hundred feet extending the length of the same and (25 ft) twenty-five feet on each side from center of crevice unless thereby interfering with an other lode When an equitable decision of the territory shall be made When applied to a gulch (100 ft) in length on the same and (50 ft) fifty feet in width

When applied to patch or placer diggins (100 ft) one hundred feet square when applied to tunnel claims the entire distance intended to run the same as shown by the record and stake at the mouth of the tunnel together with the surface grounds for deposits as here in after provided When applied to a water or mill priviledge (300 ft) on the creek or gulch with the priviledge of using the water of the same and mill grounds adjacent thereto (150 ft) each side of the creek or gulch and more if necessary for the enjoyment of the same When applied to ditch claim the entire distance staked out which they intend to run the same as shown by the survey and stakes when applied to a creek bed mining claim (100 ft) one hundred feet up and down the creek in length and between high water mark on each side

When applied to bar claims (50 ft) fifty feet in width running back to the base of the mountain

LAWS GOVERNING CLAIMS—CHAPTER 18TH

SEC 1st All purchased claims when recorded shall be held as real estate

SEC 2 No person shall hold more than one claim on each lode creek bar patch or gulch except by purchase or discovery

SEC 3d Any person discovering a quartz lode by recording the same may hold the discovery claim as real estate and one other claim by preemption on said lode

SEC 4 All quartz lodes shall terminate in the center of each creek

SEC 5 When lode claims extend through bar claims the first claim recorded shall hold both

SEC 6 Any person owning a quartz mill or claim on which he has a mill shall have a right to cut or construct a race flume or ditch to carry water to such mill over any claim road or ditch provided the water be so guarded as not to interfere with vested rights priority of claims to be in every case respected

SEC 7th The discovery hole shall be considered in the center of the discovery claim unless specified to the contrary on the record

SEC 8th No person shall be allowed to mine under a building or other improvements unless they first secure the parties owning such improvement against all damages except by priority of claim

SEC 9th All deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of property shall be witnessed and must be recorded within (30) thirty days after their date to be held as valid against creditors or subsequent deeds of grantor

SEC 10 Preemption on lodes which run into each other shall be governed by the priority of the discoveries

SEC. 11. In all cases when parties shall have complied with the law as far as possible priority of claim and honestly carried out shall be respected

TUNNEL LAW—CHAPTER 19

SEC 1 Any person or company locating or having located a tunnel claim in this district as hereinafter provided shall be entitled to one by two hundred feet of ground as surface claim at the starting point for tunnel purposes and deposits

SEC 2d Any person or company owning a tunnel under this law shall be entitled to four hundred feet and no more upon any lode which said tunnel may cross two hundred feet of which may be taken on each side of the center line of the tunnel claim provided such lode has not been discovered and claimed prior to the preemption of said tunnel and they shall have the exclusive right to all quartz minerals or valuable metals that may be found within the boundaries of said tunnel

SEC 3d Any person or company owning a tunnel as aforesaid shall be required to commence work upon the same on or before the 10th day of July next in which month he or they shall be required to perform ($50) fifty dollars worth of labor upon said tunnel after which he or they shall be required to perform at least three months work for one laborer in each six months upon failing to comply with any of the requirements in this section the right of each tunnel claim shall be forfeited

SEC 4th All tunnel claims shall be staked at the starting points in the center upon which stake shall be written the direction and terminus of said tunnel together with the name of the owner or owners

SEC 5th Any person or company owning a tunnel as aforesaid shall have the right to cross any lode on the line of said tunnel provided the amount of quartz taken out of such lode shall not be more than is necessary to cross said lode hollowing the size of said tunnel at smallest place

SEC 6th Any person or company owning lode claims through which a tunnel under this law may pass shall have the right either in person or by their agent to inspect such lode claim in said tunnel at any time they may desire

SEC 7th When a person or company claims to have discovered a new lode in their tunnel and said lode is claimed by discovery prior to locating of said tunnel it shall devolve upon the tunnel owners to show that this discovery is a new one

SEC 8th All persons owning lode claims shall have the privilidge to work the same by tunnel or otherwise and to deposit quartz either by slide or tramway at the point most convenient for them on any ground not claimed under this law for surface deposits

SEC 9th Any person or company working one of his or their claims in this district shall hold thereby all the preemption claims he or they may have in this district nothing herein to be so construed as to conflict with the tunnel law

LAW REGULATING LOTS—CHAPTER 20

SEC 1st Any person preempting town lots within this district must have the same filed for record the day of taking the same and lay a foundation upon said lot which shall hold the same for the space of sixty days after the expiration stay. Then by paying the recorder (in addition to his fees) the sum of (50c) fifty cents shall receive a deed from the president of the district for the same and in case he or they shall fail to comply with the above laws said lot shall be forfeited to the district

INCORPORATIONS—CHAPTER 21ST

SEC 1 Companies holding claims shall hold no more than there are members of the company named as such upon the record either in articles of incorporation or upon their certificate

ELECTION LAWS—CHAPTER 22

SEC 1st All elections for officers of the district shall be by ballot and to be conducted and held as follows The recorder and sheriff shall select from the qualified citizens of the district four persons who shall act as Judges and clerks of the election who after having been qualified by the president in his absence the recorder shall take charge of the polls receeve sort count and declare the votes make proper returns thereof to the district by placing said returns in the hands of the recorder for record

FILE LAW—CHAPTER 23d

SEC 1st All claims filed for record hold good for ten days before forfeiting the claim filed

Any and all laws conflicting with the foregoing are hereby repealed provided that nothing herein contained shall be so construed as to interfere with any rights acquired under previously existing laws

Enacted by the miners of this district March the 9th A D 1861

JAMES BURRELL *President*

Attest

GEO F GRIFFITH *Recorder*

Miners met pursuant to call of the president of Apr 20th 1861

On motion of D T Griffith the president was required to appoint a committee for the purpose of drafting a lien law and also a law for the regulation of mortgages and report at a meeting of the miners to be held at the recorders office Apr 27th 1861

President appointed D. T. Griffith H K Purson and J D Hall

On motion D T Griffith the President appointed D T Griffith W B Squoirs and H B Snyder on a committee for the purpose of surveying staking and numbering the water claims on the South and West Branches of South Clear Creek also Leavenworth Creek and make their report as soon as possible.

On motion D T Griffith the following resolution and laws were adopted

Resolved, That we the miners of this district do enact the following as sections 11th and 12th of chapter 16th of the criminal laws of this district

SEC 11th Any person or persons found guilty of wilfully or maliciously rolling stones quartz excepted down the hill upon any mountain in this district upon conviction thereof shall pay a fine of not less than ($5) five nor over ($50) fifty dollars to the district and such other punishment as a Jury of 6 men may direct

SEC 12th Any person or persons found guilty of willfully or maliciously putting out fire or setting fire to any grass timber or other combustable within the limits of this district shall upon conviction thereof pay a fine to the district of not less than five nor more than fifty dollars and receive such other punishment as a Jury of 6 men may direct

On motion meeting adjourned to meet on Saturday April 27 1861

Miners met pursuant to adjournment this April 27th 1861

On motion D T Griffith the following resolutions and laws were unanimously adopted and enacted

Resolved That that portion of sec 3d of chapter 4th (of the revesed laws) immediately following the words sued out in the fifth line of said section which relates to the duty of Judge in requiring prepayment of costs be and is hereby repealed

Resolved That the following be and is hereby enacted and shall be known as section 6th of chapter 6th of the revised laws of this district

SEC 6 OF CHAPTER 6 It shall be the duty of the Sheriff to execute or cause to be executed all penalties for criminal offences

Resolved That all timber now standing upon any town lot within this district shall not be subject to appropriation by any person or persons except the legal owners of said lot or lots also the timber now standing upon beavers Island (which is situated on the town site of Georgetown on water claims No 69 & 70) shall also be exempt from appropriation by any person whomsoever and any person found guilty of cutting felling or carrying away any such timber shall upon conviction thereof pay a fine to the district of not less than ($5) five nor over ($50) fifty dollars and such other punishment as a Jury may direct

On motion meeting adjourned to meet Saturday May 4th Griffith Mining district Apr 27th 1861

Saturday May the 4th 1861 Miners met pursuant to adjournment

The committee appointed by the president at a meeting held Apr 20th 1861 not being ready to make report

On motion the miners gave them more time

On motion D T. Griffith the following resolution was unanimously passed

Resolved That the words written (30) thirty days after their date of section 9th of chapter 18th of the revised laws of this district be and are hereby stricken out

On motion meeting adjourned to meet Saturday May 11th at 7 o'ck p. m

May 11 1861 Miners met pursuant to adjournment James Burrell presided

On motion John D Hall the following resolution was adopted

Resolved, That the mortgage and lien laws embraced in the statutes of the State Territory of Kansas be and are hereby made the laws of this district

Also the following resolutions which were presented by Geo T. Griffith

Resolved That resolution 1st adopted Sept 22d 1860 be so amended as to read as follows that all water lode gulch or patch Claims now held according to the laws of this district shall be held without improvement until the 10th day of July A D 1861 after which time every individual or company shall in person or by their agent work at least one of his or their claims one day in every week Provided any persons or company who are actual residents of this district and actually employed in any business for himself or for another shall lawfully hold one claim that he or they may have by virtue of his or their residence being in the district

Resolved That any legal claim holder desiring to return to the states may by paying to the Judge of the Miners Court a fee of one dollar and filing an affidavit on the Judges docket that it is necessary for him to be absent and that in his absence that it is impossible for him to lawfully work his claim shall hold the same without work for the space of eight months

Resolved, That the the ladies who may become residents of this District each be permitted to select one unoccupied town lot within the district and upon being recorded to be held unto them as real estate

On Motion Meeting adjourned

GEO F GRIFFITH, *Secretary*

Declaration of the return of an election held in this district Saturday June 8th 1861 for the purpose of electing a sheriff for the unexpired term occasioned by the removal of J M Lain from this district Henry Chuping having been voted for according to the election laws of this district and having received the greatest number of votes for that office was declared duly elected sheriff of this district

June 22d 1861 Miners met pursuant to call of president for the purpose of reconsidering a resolution passed on the 8th of June and any other business that might come before the meeting

On motion the following resolutions were unanimously adopted

Resolved That the resolution passed at a meeting on the 8th inst requiring non residents to work on his or their claims one day in every week is hereby repealed and the following be substituted in its place

Resolved That all claims liable by previously existing laws to forfeiture or repreemption upon the 10th day of July next may be held unimproved there after provided the claim holder shall upon said 10th day of July by himself or agent pay to the recorder into the treasury of the district a yearly tax of twenty five cents upon each & every such Claim or provided the claim holder is a resident of this district or provided the claim holder shall work by himself or his agent one of his claims within this district to the amount of one days work to every week then in either case his Claims shall remain valid but nothing herein contained shall be so construed as to conflict with the tunnel law

Resolved That section 12th of the laws governing the miners Court be and is hereby repealed and that the following be substituted in their place

Resolved, That either party feeling agreived may appeal from a decision of a Jury of three or the Judge to a Jury of six or to a Jury of not exceeding twelve to be decided upon by the parties provided the party so appealing shall give notice of his intention to appeal within twenty four hours after the rendition of Judgment and provided also he shall first pay all costs that have already accrued within five days after Judgment is rendered also further resolved that when an appeal is taken as herein provided or by law required it shall be the duty of the Judge of the miners Court to make out a transcript of the record in the case together with any special ruling made in the trial when either parties require it and complies with the law authorizing an appeal The Judges fees to be one dollar for each transcript

Resolved that sec 2d of chapter 4th of the revised laws of this district be and are hereby so amended to read as follows after the word district in the sixth line of said section and immediately before the word at "holds property within this District.

On motion meeting adjourned the 1st of these resolutions be copied in the Rocky Mountain news

On motion meeting adjourned

Georgetown June 22d 1861

GEO F GREFFITH *Secty*
By D T GRIFFITH, *Depty Recorder*

JULY 17th 1862

Miners met pursuant to call of president and the following resolutions were unanimously adopted

Resolved 1st That all claims now held valid either by preemption repreemption or purchase in this district shall be held as real estate from and after this date

2d That section 1st of chapter 14th of the revised laws of this district be so amended as to read as follows The Defendant in any cause in which suit is not already commenced shall have the right at redemption or any real estate or personal property to the amount of ($350^{00}) or over by paying to the court for the benefit of the purchaser the amount of the purchase money together with interest at the rate of 20 per cent pr month if paid within 30 days from date of said sale

3d That all discovery claims lawfully recorded since the 22d day of September a D 1860 and all discovery Claims that may be hereafter taken shall be two hundred feet in length and of the width of other lode claims And all discovery claims now taken claimed and recorded shall be held free from exicution attachments or forced sales

4th *Resolved* That when suit in any cause is hereafter instituted in the miners Court of this district such suit shall then become a lien upon the property of the defendant that is not exempted from levy and sale upon execution belonging to the defendant in this court

On motion meeting adjourned

Griffith mining District July 17th 1861

GEO F GRIFFITH *Secretary*
By D. T. GRIFFITH *Deputy Recorder*

CLEAR CREEK COUNTY.—TRAIL RUN MINING DISTRICT.

CONSTITUTION OF TRAIL RUN DISTRICT AS FRAMED AND ADOPTED AT A MEETING OF THE MINERS OF SAID DISTRICT JUNE 28TH, 1860 AND AMENDED AT A MEETING OF THE MINERS AUG 7TH 1860 AND SUBSEQUENTLY NOV 15TH OF THE SAME YEAR AS APPEARS BY THE RECORD OF THE DISTRICT BOOK A.

ARTICLE 1st. Resolved that the limits of this district shall extend from the line of Spanish Bar District near the junction of the gulch with Clear Creek up the stream two miles or to the fork of the gulch and to the summit of the dividing ridge on back side, and all claims recorded in good faith in this district but which shall afterwards be found to be located without said limits shall be considered valid and transferable And said district shall hereafter be known and designatted as Trail Creek District

ARTICLE 2d *Resolved* that every man holding claims on other property within the limits of the district shall be entitled to a voto regulating the same and in electing officers of the District

ARTICLE 3d *Resolved* that there shall be elected by the miners of the district by a majority vote the following officers to wit:—One Justice of the Peace one Constable and one Recorder

ARTICLE 4 *Resolved* that it shall be the duty of the Justice to call a court to try all cases that may be brought before him himself acting as Judge Said court shall consist of five of the miners of said district each of the contestants having a right to choose two of the Jury and the Judge shall appoint the fifth and from the decision of said court there shall be no appeal except to a mass meeting of the miners

It shall be the duty of the Constable to make arrests to levy executions and serve subpœnas It shall be the duty of the Recorder to keep a book of records & record claims said record to be kept accessable at all times to the miners of said District for the purpose of searching the record of claims, And it shall also be the duty of the recorder to call a meeting of the miners on the application of one or more persons, and at least four days notice shall be given by him by posting a written notice in two or more frequented places & to hold all contracts deeds or other papers left in, his care until authorized by said parties to surrender them

By Laws

Be it enacted that a man shall be entitled to hold the following claims viz, his discovery Claim and one only by preemtion on each of the different lodes of the District but he may acquire others by purchase provided said sale or transfer be recorded within ten days from the date of the purchase and all such claims shall thereafter be held and perpetuated as real estate provide the claimant or his agent shall pay annually dating from the day of the preemption or purchase to the recorder the assessment of 25 cents hereby levied on each and every mining or other claim located in the district for their better security as real estate & the income of said tax shall be appropriated as fast as received by the Recorder to the construction of a road up Trail creek & for such other public improvements as the district may hereafter direct & be it further enacted that all patch bank or gulch claims shall be worked every three days in good faith or they shall be forfeited and all mining claims not recorded shall be forfeited when not worked

SECOND *Be it enacted* that claims shall be of the following dimensions, viz: Lode claims fifty by one hundred feet, Bank and patch claims fifty feet and square Water claims for sluicing purposes, one hundred feet running up and down the stream and from bank to bank & Mill privilidge—or sites three hundred feet running up and down the stream & from bank to bank

THIRD *Be it enacted* that every man or Co of men constituting or running a steam quartz mill on Trail Run & who shall make a sufficient road up any mountain or cannon to convey wood to his or their mill shall by this act be entitled to preempt one claim of 50 acres of timber for his or their own private use & benefit The limits of said claim being already marked by corner stakes or blazed trees and any miner owning claims in the district shall be entitled to preempt one claim of ten acres of timber and wood for his own use and benefit and all infringements shall be considered as trespass and damages awarded as in all other cases

And be it further enacted that no timber or wood shall be transported for sale or use out of the district or ¼ of a mile from its junction with clear Creek To go into affect the day of its passage Aug 7th 1860

FOURTH *Be it enacted* that prospectors be allowed ten days from the date of their discovery in which to record their claims

FIFTH *Be it enacted* that those owning claims and working them in company shall hold them by working one of them in good faith

At a meeting of the miners of Trail Run District Nov 15th 1860 it was

Resolved that the recorder of trail run district shall have power to levy a tax of twenty-five cents per year on each and every claim in said district collect the same keep a just and true account and make a report of the same at each miners meeting and all means received by him shall be appropriated to the purchase of a set of books for said district and the building of a road up Trail Creek commencing however at the lower end of Trail Run District & working up the stream

And it is further resolved that the said Recorder shall be duly qualified before the Justice of Spanish Bar District before he shall have power to collect taxes purchase books work on the road or carry out any part of the foregoing resolve & he is and he is authorized to collect a fee of ten cents for each and every receipt for taxes issued by him

GEORGE BARBER *Secretary*

At a meeting of the miners of Trail Run District April 1st 1862 on the consideration of the petition of I McLaughlin & others for repeal of the tax law It was

Resolved that the present law relating to taxes on claims remain in full force but that no claim shall be forfeited by nonpayment of the anual assessment

Voted that the present Recorder continue to hold his office at the will of the District

Voted that a road master be appointed who shall be required to give bonds in the sum of $500.00 to be accepted by the Recorder & who shall have power to collect taxes and appropriate them to repairs on the road to notify claim holders of the time to work out the taxes on the road and the direction of all necessary repairs on the same & also to issue and dispose of liens on claims of delinquents

The Report of the Collector and Road Master was read and accepted and his resignation received thereupon Joseph Colez was unanimously elected Road Master

Resolved that a committe of three be appointed by the chairman to confer with the miners and the Recorder at the neighboring districts and determine what disposal shall be made of the records of the District to best secure our mining titles and power is given said committee to make such disposition of the books of the Recorder as they deem proper

The number of the committee was increased to five including the chairman of the meeting & was made to consist of J Colez J Barr W W Wise M. P. Parker & E A Holland

A Resolution sustaining the acts of the Recorder of the District and expressive of public confidence was adopted

J COLY *Chairman*

E T. HOLLAND, *Secy.*

SUMMIT COUNTY.—SILVER LAKE MINING DISTRICT.

JULY 4th 1860

Pursuant to call a number of miners met at the camp of E. Welch & Co. near silver lake so called when

On motion E. Welch was chosen chairman & L. B. Smith sec of the meeting.

The President stated the object of the meeting in substance as follows.

That whereas rich and valuable deposits of gold have already been discovered in lodes in this immediate vicenity and believing that further and still richer discoveries will be made here in the future, now for the better protection of the miners here present as well as for better to develope the mineral wealth of this locality it is proposed to submit to the sense of this meeting the propriety of the immediate organization of a mining district

Thereupon, on motion, it was voted that the meeting proceed to an election of a President and Recorder of a Mining District to be known as the Silver Lake Mining District and that the further perfecting of this organization be referred to an adjourned meeting

Proceeded to an election:

Enoch Welch was chosen President & R. L. Bond was chosen Recorder

On motion voted to adjourn until July 16th inst. at 2 o'clock p. m.

SILVER LAKE MINING DISTRICT, *Utah Ter. July* 16th 1860.

Pursuant to adjournment meeting met and was called to order by Enoch Welch Pres in the chair.

W. B. Fitzpatrick offered the following

Resolved that this district is named and shall hereafter be known as the Silver Lake Mining District and its boundaries shall be defined and are hereby determined as follows to wit: Commencing at the trail leading from Platt river to Hoosier gulch; thence northerly up the range to the headwaters of the Blue and Platt rivers; comprising all that tract of land lying between the Blue and Platt rivers from the source thereof as far as the said "Buckskin Joe" trail aforesaid together with the water to the channel of either of the said rivers; it being always understood that Hoosier Gulch or so much thereof as now is or may hereafter be occupied for gulch mining purposes is not included in this district

Adopted unanimously

The following laws were then voted upon separately and unanimously adopted

SECTION 1st. The President shall until otherwise provided be the Executive officer of this District; shall hold his office for one year from the date of his election and until his successor is elected; he shall be vested with the jurisdiction of a justice of the peace in and for this District

He shall call special meetings when requested so to do in writing by any ten actual residents of the district by causing written notices to be posted in three public places in the District at least giving twenty-four hours notice of said meeting.

He shall preside at all meetings of the District and is clothed with discretionary power to do and perform such acts and things as the welfare and best interest of the district may require at his hands

SECTION 2d The Recorder shall keep a true and faithful record of all proceedings taking place at all the public meetings in this District.

He shall record all claims when requested so to do and issue certificates therefor and as compensation shall receive one dollar for each or every certificate issued by him and no more His term of office shall be equal as that of the president.

SEC 3 Mining claims shall be one hundred feet in length and the width of the lode,

SEC 4th Each and every miner shall be entitled to hold one claim upon each lode as a preemption right; also any person discovering a new lode shall be entitled to one hundred feet additional for his discovery claim and any person may purchase claims and his rights shall be respected.

SECTION 5th Persons taking claims and not working the same must have them recorded immediately or they are liable to be taken and recorded by the next claimant therefor applying

SEC 6th The discovery claim shall be the point of starting upon lodes in this district and thence claims shall be numbered in their order either way from discovery, either up or down or by specific directions as the discoverer may elect.

SEC 7th Each miner in addition to the other claims specified shall be entitled to one water claim by preemption of two hundred feet

SEC 8th Claim holders shall be entitled to as many votes as they may own claims in the district in regard to general laws and matters of interest that affect parties pro rata according to the number of claims that they may hold.

SEC 9th Until otherwise provided for parties may hold claims without working the same until such time as they can be worked to advantage

On motion voted to adjourn

ENOCH WELCH *Pres*

R. S. BOND *Recorder.*

SILVER LAKE MINING DESTRICT *Aug* 14th 1860

Resolved unanimously that a certain silver lode known as the Dirigo silver lode shall be governed by the same laws that now govern the gold bearing quartz lodes in this district except in width of claims

Resolved further that the claims on the Dirigo Silver Lode shall extend any width that may be necessary for the purpose of taking in the lead within the boundaries of this district

And further resolved That parties holding claims properly recorded according to the laws of this district shall be entitled to hold the same until the fourth day of July A. D 1861 if represented by himself or agent.

ENOCH WELCH *President*

R. L. BOND *Recorder.*

SILVER LAKE MINING DISTRICT *Colorada Ter July* 4th 1861

This being the day of the annual meeting and election of officers for this district for the ensuing year, the meeting was called to order by the President Enoch Welch in the chair at precisely 10½ o'clock a. m. whereupon

On motion it was unanimously voted to adjourn until July 8th, carried

SILVER LAKE MINING DISTRICT *Col Ter July* 8th 1861

Meeting called to order by E. Welch in the chair. On motion to election of officers of the district for ensuing year by ballot.

The President appointed M. C. Kelley and Wm Fairhurst tellers; the Recorder R. L. Bond not being present Wm Fairhurst was also appointed Sec of the meeting.

T. L. Mackay was unanimously elected President & Enoch Welch, Recorder

On motion voted to adjourn to the 19th July 1861.

Pursuant to adjournment the miners of Silver Lake Mining District met and were called to order by Pres Mackay in the chair for the transaction of any necessary or miscellaneous business It was then

Resolved that all claims in this district not having been represented this year nor now either in person or by proxy are jumpable or liable to be taken by the first party claiming the same under and in confirmity with the laws of this district

Resolved that the Recorder shall be allowed one dollar and no more for recording claims and issuing certificates therefor

Resolved that an assessment of five dollars be and the same is hereby levied upon all the claims recorded upon the Dirigo Silver Lode for the purpose of prospecting and defining the same

Resolved that a company known as the Silver Lake Mining Company be allowed to take have and hold ten of the new forfeited claims, Dirigo Silver Lode; the same to be selected and recorded by them in the same way and manner as other claims in this district; that notice hereof shall be published for four consecutive weeks in the Miner's Record a newpaper published at Pennyall Col. Ter that the above levy may be paid in laber at $2.50 per day in necessary material at the market rates or in money; that the same shall and must be paid within or at the expiration of thirty days and in failure thereof it shall be lawful for the recorder and he is hereby instructed and directed to sell and dispose of said claims for the purpose of raising the above assessment of five dollars the owner being entitled after such sale shall have taken place, that is to say, after the expiration of the thirty days, ten days wherein to redeem said claim or claims by payment of the assessment and other accruing cost and after the ten days of redemption shall have expired the owner in default shall have no further resource or right whatever.

Resolved that E. Welch be appointed and constituted superintendent of the work in prospecting the said Dirigo Silver Lode.

Resolved that all claims represented in this district up to this date that the same be and are hereby declared real estate from this time henceforward subject however like other property to the laws of this district

All of which resolutions were passed. On motion voted to adjourn

Attest

E. WELCH *Recorder*

T. L. MACKAY *President*

SILVER LAKE MINING DISTRICT *Col Ter Sept* 21st 1861

Pursuant to written notice and call for a meeting the miners and claimholders met at 2. o'clock p. m. and the President being absent

On motion Doctor Leavitt was chosen chairman

Mr Welch then being called upon stated the object of the meeting to look over and perfect or make alterations in the laws of the District, if necessary and also see what action claimholders would take in regard to surveying and locating claims on different leads.

Also what action this district would take in regard to the organization of Montgomery and Morrison Districts upon the District

On motion the laws and records of the district were read up to the present time:

On motion a committee of three were appointed to report on order of business

Messrs Adair Matthews and Welch were appointed and reported as follows to-wit;

Resolved that the laws of this district as they now stand be and remain the same without change until the next annual meeting in July 1862

Resolved—that we the claim holders in Silver Lake Mining District do not recognize any claims as valid which are located within the boundaries of said district unless the same be recorded by the recorder of this district and that we regard the acts of certain districts known as the Montgomery and Morrison in recording claims in Silver Lake District are an infringement upon our true and vested rights and therefore cannot be respected by us; and further that persons having taken claims in either of said districts be allowed the term of thirty days to have the same legally recorded in this district, provided they do not come in conflict with claims already taken and recorded in this district; and further that the recorder of this district be instructed to serve an immediate & written notice of the action of this district upon the officers of the Montgomery and Morrison districts so called.

Resolved; that we will pay A. Z. Sheldon ($10.00) ten dollars to survey the Vermont lode from discovery to No. 16 either way That the expense be born pro rata by the claimholders and that further survey of lodes is recommended but referred to the individual consideration of the parties interested therein

All of which resolutions were considered and discussed separately and adopted

On motion voted to adjourn

ENOCH WELCH *Recorder*

CLEAR CREEK COUNTY.—VIRGINIA MINING DISTRICT.

At a meeting held in Virginia Gulch July 19th 1860 the following Constitution and by laws were unanimously Adopted

Resolved Whereas the laws regulating claims and mining interest in this the so called Virginia district have been removed and the officers under said laws are no longer within said district therefore all laws respecting claims and mining interests in this district are hereby annulled and void all officers appointed under said laws are hereby divested of power and authority conferred upon them by said laws

Resolved That all voting be done by voice.

Resolved That we still retain the name known as Virginia district

Resolved That the officers of this District consist of a Chairman Secretary & Recorder to serve one year And to be a resident in the district Chairman to preside at all meetings and in his absence a chairman pro tem elected secretary to keep a correct account of all business transactions at the several meetings in a book kept for that purpose Call all meetings at the request of 10 claim holders or miners in said district at least 24 hours beforehand by 3 notices posted in conspicuous places and all amendments to the laws be so handed to the Recorder in writing for posting in his book

Resolved And in the absence of the secretary a secretary pro tem shall be elected subject to above duties

Resolved That the Recorder procure suitable books and copy there all laws adopted at said meetings in above district to be kept within said district & the laws as adopted be accessible to all persons who may wish inspect them also that the Recorder for the performance of his duties be entitled to receive fifty cents each for the recording of any one claim or deed whether it be lode gulch mill or any other except a discovery the same to be recorded but free from usual charge or tax.

SECTION 1 All lod claims shall be 100 feet in length by fifty feet in width and may be laid in any direction.

SECTION 2 All gulch claims shall be 100 feet in length and in width to run from bank to bank

SECTION 3 All mill claims shall be 300 feet in length running up or down the the Stream Creek and gulch extending from bank to bank & ground sufficient for milling & Mining purposes

SECTION 4 Each Stake shall be designated by a stake with the name number date & direction of the lode

SECTION 5th All building claims shall be 50 by 100 ft

SECTION 6th Any person making one or more discoveries if lode or quartz claims shall be entitled to the same and also a preemption after having struck the crevice staked and recorded as herein prescribed by law and all Claims whether by discovery preemption or otherwise shall be holding as real estate

SECTION 7 A person shall hold one preemption on each and every lode also one Staked Claim on gulch mill & building except by purchase

SECTION 8 is hereby repealed

SECTION 9 Any person can purchase a claim or a claim & hold as above prescribed and recorded

SECTION 10 Any person having Staked a Claim shall hold good and for 10 days from date thereafter before the recording of the same

SECTION 11 All persons holding lode claims shall work them every ten days or get the same recorded

SECTION 12 All persons purchasing Claims or Claim by money barter or otherwise are hereby requested to have each Claim separately recorded within six days of the same or forfeited signed by 2 witnesses as attest

SECTION 13 Any person or company may conduct water or tailings from a sluice or tom across other Claims so it be done without injury or damage to such claims

SECTION 14 The right to vote upon matters relating to mining interest in this district shall belong exclusively to miners residing or mining in said district

SECTION 15th Every dispute or difficulty respecting Claims or boundaries not settled by the parties themselves shall be decided by a Jury of miners consisting of six or more but an appealed may be taken from their decision to the miners court of this district and the decision of the miners shall be final

SECTION 16 This the Virginia District shall embrace within its boundaries the following limits To be bounded on the north by the branch ditch of the consolidated ditch Company on the East by the summit of the mountain East of the Virginia gulch on the South by Paines & Spanish Bar districts on the west five miles west of the Virginia Gulch

SECTION 17 The above Code of laws may be altered or repealed by a vote of fifteen or more legal voters at any subsequent meeting a previous notice of 3 days or more first having been given

WILLIAM WALLACE *Recorder*
J P MANN *Chairman*

GEO W SLATER *Secretary*

Resolved That no man shall be allowed to stake a claim for another who is not residing in the mountains

At a meeting held in Virginia Gulch Dec 16th 1860 the following business was transacted
Mr Joel P Mann in the chair meeting called to order and the laws read
Joel P Mann then offered his resignation as president of the district which was on motion accepted
On motion Mr Milton McCrany was unanimously elected President
On motion Mr Wm C. Avery act as Recorder of said district
On motion he was unanimously elected
Motion that the recorder act in the capacity of secretary as required by law adopted
On motion Sec 10 was so amended as to read 6 days in place of ten also to allow twenty five days to work and find the crevice or in either manner to move his stake on lode the above amendments were adopted
On Motion whene we adjourn we adjourn to meet at the recorders office 2 weeks from above date it being December the 29th inst at 10 o'clock a. m. So adopted
On motion it was moved to adjourn—adopted

MILTON McCRAMY *President*

WM C AVERY *Recorder & Secty*
VIRGINIA DISTRICT *December* 15, 1860

VIRGINIA DISTRICT *January* 24th 1861

SEC 1st *Be it enacted by the Citizens of Virginia District in Convention assembled* that the laws of Russell Gulch District as appear in the printed copies thereof Addopted July 28th 1860 and the same are hereby adopted and made the laws of this district except as hereinafter repealed & changed

SEC 2 Section 1st of said laws is hereby amended so as to read thus that there shall be elected by the legal voters here assembled a Judge of the miners court & a sheriff of the district who together with the president & Recorder of the District shall hold their respective officers until the 3d inst Monday in January next unless they shall sooner die resign or remove from the District or be removed from their offices for misconduct by the Citizens of the District and on said 3d Monday in January next and annually thereafter there shall be an election for the purpose of electing such officers who before entering upon the duties of said office shall take an oath well and faithfully to perform the duties thereof according to the best of their ability The Recorder Shall be ex officio Secretary & Treasurer of said district

SEC. 3d Sec 9th of said laws is hereby amended so as to read as follows Sec 9th the officers of said court shall be the Judge sheriff and his deputies and the attorneys of said Court regularily admitted as such

SEC 4 Section 33 of said laws is hereby amended so as to read as follows upon the return day of the summons if either party call for a Juror who shall try the case whereof the Court shall issue a venue and summon six good and lawful citizens to act as Jurors each party may have three peremptory challenges, in which case the sheriff shall summons talesman The Jury being thus completed shall be sworn to try the case but in case no Jury is called for the cause shall be tried by the court

SEC 5 Section 35 of said laws is hereby amended so as to read thus If any person enter an appeal from a decision he shall give notice thereof upon the same day that the verdict was rendered either by giving notice in open court or by prolaming the same to be entered upon the docket of the Court and shall perfict his appeal within ten days by paying up all costs already against him Can be deterred to abide and satisfy any future Judgment & cost such appeal shall be to a jury of twelve whose decision shall be final

SEC 6th Section fifty six of said laws is hereby amended so as to read in 4th line ten miners instead of fifty miners

SEC 7 Section 5–7–14 B 34–36–60 of the said laws are hereby repealed

SEC 8 Each summons in the commencement of an action as provided for herein shall be altered at least 3 days before the Jury sit for trial

SEC 9th There shall be exempt from levy and sale on execution in addition to the exemption propounded by law one half of one mining claim to be selected by the debtor

SEC 10 All voting shall be done by ballot

SEC 11 The sheriff shall execute all such process as may issued & directed to him from the Miners Court or other proper tribunal and for that purpose may if necessary summons to his aid any number of persons

SEC 12th All existing laws of this district inconsistent with the laws hereby adopted and hereby repealed

VIRGINIA DISTRICT *Jan* 24th 1861

SEC 1 *Be it enacted by the citizens of Virginia district in convention assembled* that the laws of Russel district as appear in the printed coppies thereof adopted July 28th 1860 be and the same are hereby adopted and made the laws of this district except as herein after repealed & changed

SEC 2d Section 1st of said laws is hereby amended so as to read thus that there shall be elected by the legal voters here assembled Judge of the miners court and a sheriff of the district who together with the president and recorder of the district shall hold their respective offices until the 3d Monday in January next unless they shall sooner die resign remove from the district or be removed from their offices for misconduct by the citizens of the district and on said 3d Monday in January next and annually thereafter there shall be an election for the purpose of electing such officers who before entering upon the duties of said officers shall take an oath well and faithfully to perform the duties thereof according to the best of their ability the Recorder shall be ex officio Secretary & Treasurer of said district

SEC 3 Section 9th of said laws is hereby amended so as to read as follows Section 9 the officers of said Court shall be the Judge sheriff and his deputies and the attorneys of said court regularly admitted as such

SEC 4 Section 33d of said laws is hereby amended so as to read as follows Upon the return of the summons if either party call for a Jury he shall advance the fees at the rate of one and one half dollars for each juror who shall try the case whereupon the court shall issue a venire and summons good and lawful citizens to act as Jurors each party may have three peremptory challenges in which case the Sheriff shall summon tailsman the Jury being thus completed shall be sworn to try the cause but in case no Jury is called for the cause shall be tried by the court

SEC 5 Section 35th of said laws is hereby amended so as to read thus If any person shall enter an appeal from a decision he shall give notice thereof upon the same day that the verdict was rendered either by giving return in open court or by procuring the same to be entered upon the docket of the court and shall perfect his appeal within ten days by paying up all cost already accrued by giving security in double the amount of the Judgment rendered against him conditioned to a bill and satisfy any future Judgment and cost Such appeal shall be to a Jury of twelve whose decision shall be final

SEC 6 Section 56 of said laws is hereby amended so as to read in fourth line ten miners instead of "fifty miners"

SEC 7 Sections 5–7–14–B–34–36–60 of the laws are hereby repealed

SEC 8 Each summons in the commencement of an action as provided for herein shall be served at least three days before the day set for trial

SEC 9th There shall be exempt from levy and sale on execution in addition to the exemption provided by law one half of one mining claim to be selected by the debtor

SEC 10th All voting shall be done by ballot

SEC 11th The Sheriff shall execute all such process as may be issued and directed to him from the miners Court or other proper tribunal and for that purpose and may if necessary summon to his aid any number of persons

SEC 12 All existing laws of this district inconsistence with the laws hereby adopted are hereby repealed

GILPIN COUNTY.—RUSSELL MINING DISTRICT.

LAWS AND REGULATIONS.

At a meeting of the miners of Russell District held at the recorder's office on Saturday July 21 1860 for the purpose of amending and revising the laws of said District J. T. Place was, on motion, elected chairman of said meeting.

On motión a committee of nine were appointed to examine the present laws and report to this meeting such amendments as they deem proper on Saturday July 28th 1860 at one o'clock P. M.

The following gentlemen were appointed such committee: Mssrs. Butler, Leonard, Stafford, Fassett Rogers Lyons, Shaw, McBride and Koester.

At the adjourned meeting held on July 28th 1860 Mr. Wm M. Baker was elected chairman. E. H. Rogers and Koester, secretaries

The committee appointed at a previous meeting reported the following code of Laws which were adopted.

WM M. BAKER *Chairman*

E. H. ROGERS
——— KOESTER
Secretaries

BOUNDARIES OF RUSSELL DISTRICT.

Be it resolved that a District beginning at the mouth of Willis Branch including said ravine, from thence on divide between Clear Creek and Russell Ravine; thence on summit of ridge between Illinois Gulch and Leavenworth gulch, the two rocky knobs on the divide being the line extending past the mouth of Illinois Gulch to the Willis Branch; and that three thousand feet on the north side of the ditch from its mouth to its head shall be the northwest boundary. Said District to be known as "Russell District"

GEO. W. BRIZEE *President*

THOMAS DOGGERTY, *Sec'y*

AN ACT—In Relation to the Officers of Russell District—their duties—term of office and fees.

SEC 1. *Be it enacted by the citizens of Russell District in convention assembled,* That there shall be elected by the legal voters here assembled, a Judge of the Miners' Court, a Constable of the District and a President of the District, who together with the Recorder of the District shall hold their offices till the first Monday of June next, unless they shall sooner die, resign, remove from the District, or be removed from their offices for misconduct by the citizens of the District; And on the said first Monday of June next, and annually thereafter there shall be an election held for the purpose of electing such officers; who before entering upon the duties of said offices, shall take an oath, well and faithfully to perform the duties thereof according to the best of their ability, The Recorder shall be ex officio Secretary and Treasurer of said District.

SEC. 2. It shall be the duty of the President to preside at all public meetings of the citizens of the District when called for purposes relating to public business and to preside at the trial of causes when required by law.

SEC. 3. It shall be the duty of the Judge of the Miners' Court to preside at the trial of causes; also at public meetings in the absence of the President, and perform such other duties as the law requires.

SEC. 4. It shall be the duty of the Recorder safely to keep the books and records of the District, and to record and file all proper papers upon payment of his fees; to act as secretary at public meetings of the District, and to keep all moneys paid into his hand by the Judge of the Miners' Court to be paid over as directed by the citizens at some public meeting legally called.

SEC. 5. The Sheriff of Arapahoe County shall be vested with the same power by these laws, he has under Kansas laws, but the Constable of the District and his deputies shall be the proper executive officer of the Miners' Court and is hereby vested with full power for that purpose.

SEC. 6. The fees of the Recorder shall be fifty cents for recording each mining claim and deed containing less than one hundred words and one dollar for those containing over that number; and at the rate of fifty cents per hundred words for all other papers recorded and such other fees for District business as the citizens shall allow.

The Constable may charge one dollar for the service of writs or papers which he may be required to serve, and twenty-five cents per mile for all travel necessary in such service and twenty per cent on all sums under fifty dollars; ten per cent on all sums over fifty and under three hundred dollars; and six per cent on all sums over that sum which he shall collect by sale of property on execution; and shall be required by the judge to give suitable security for all process placed in his hands. The Judge of the Miners Court shall keep a regular docket of all proceedings had before him shall be allowed five dollars for presiding at each trial—which shall be paid to the President when he shall preside—and be allowed at the rate of twenty-five cents per hundred words for making out the proper papers for him to make out, except writs for original service in suits and final judgment and execution for each of which he shall be entitled to one dollar.

SEC. 7. Every person of suitable age who actually resides in this District is hereby declared to be a voter therein.

ESTABLISHING A MINERS' COURT AND REGULATING ITS JURISDICTION.

SEC. 8. A regular term of Court to be known as the Miners' Court shall be held in this District in some convenient and proper place upon Thursday of each week at nine o'clock A. M.; and all writs to be made returnable at said term shall be served before the Tuesday next preceding. If not so served they shall be returnable at the second term after service. Nothing herein shall be so construed as to prevent the trial of criminals at any time.

SEC. 9. The officers of said Court shall be the Judge, Clerk, Sheriff of Arapahoe county, and his deputies, Constable of the District, and the attorneys of said Court regularly admitted as such.

SEC. 10. It shall be the duty of the Court to sign all writs issuing out of said Court by himself or his Clerk; to make all transcripts of judgments required, on payment of his fees; to enter judgment and issue executions and pay over to the proper parties, moneys collected on such judgments and executions; to try all criminals and pay over to the treasurer all moneys he may receive for the district for fines and judgments, and to perform such other duties as necessarily appertain to his office.

SEC. 11 If the Judge of said Court shall not be able to attend any trial or shall be disqualified from any cause to try any suit, or if there shall be more business than the court can attend to, or if any person shall make his affidavit, in writing, that he does not believe he can have a fair and impartial trial, before the said Judge of said Court, or if the said Court shall be interested in the event of any suit, either as plaintiff or defendant, or with either of them in any manner, the President of the District shall preside in the Miners Court at such trial.

SEC. 12. The Miners' Court shall have equity as well as law jurisprudence and may grant writs of injunction in all proper cases, and all other motions upon proper cause shown, to be supported by affidavits alone, and do all such other acts as a Court of Equity has power to do.

SEC. 13. The Miners' Court shall have power to fine for contempts in a sum not exceeding fifty dollars and may issue execution thereon, the same as upon a judgment.

SEC. 14. The said Court shall have power to appoint its own Clerk whenever it shall be necessary, and such Clerk shall have the usual powers of Clerks of Courts of Record.

SEC. 15. The Jury for each term of Court shall be drawn upon the Monday next preceding each term in the following manner: The Constable or his deputy shall place the names of not less than fifty four men, who shall be voters of the district, in a box prepared for the purpose, and the Judge or Clerk of the Court shall draw therefrom the names of eighteen men who shall be summoned to act as Jurors for the next succeeding term of Court. When necessary the Constable may summon tally-men but no person shall be compelled to serve as Juror for two successive terms of court.

IN RELATION TO PRACTICE.

SEC. 16. If any person shall wish to commence a civil action in the Miners Court of this district, he shall file with the Judge or Clerk thereof, a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language. Such statement shall be called a petition, and no pleadings shall be void on account of form. And upon the filing thereof the Court or Clerk thereof, shall issue a writ of summons to be served upon the defendant, to appear and answer to the same at the time therein named, or judgment will be taken against the defendant by default, If the relief demanded be for a sum of money the amount shall be stated in the summons; if for a sum of money and other relief, the summons shall state in substance that if the defendant do not appear and answer at the time named therein, judgment will be taken against him by default, for the sum of money demanded and such other relief as to the court may seem meet. If the remedy applied for shall not be for any sum of money the summons shall ask judgment for the relief demanded in the petition.

SEC. 17. The defendant may at any time before the time of trial of any case at law entered in the Miners Court, file his answer or demurrer—upon either of which the plaintiff may join issue; and if an answer be filed containing new matter, irrelevant to the issue it must be denied or avoided by the plaintiff in his reply; and all matters not denied or avoided by one pleading subsequent to another shall be taken as confessed and true.

SEC. 18. All pleadings subsequent to the petition in Equity shall be the same as used in the United States Courts in Equity, and the term of three days shall be granted for the filing of each pleading subsequent to another until the issue be made up.

SEC. 19. All pleas in Equity shall be verified and no remedy in Equity shall be allowed where the same can be had at law.

SEC. 20. In all cases of foreclosure of mortgage or lien of any kind upon a claim or other property the equity of redemption shall not extend beyond thirty days.

SEC. 21. In cases of judgment for partition of claims between joint owners, three disinterested commissioners shall be appointed by the Court, who shall effect such partition.

SEC. 22. The rules of evidence as admitted in the courts of the United States shall be observed in the Miners' Court, with the exception that either party may be allowed to testify in open court, to any facts which they are unable to prove by any other witnesses

SEC. 23. Depositions may be used in this court in evidence, provided the witness is sick or unable to attend the place of trial, about to leave the country or is out of the jurisdiction of the court. If to be taken in the county of Arapahoe, notice shall be given to the adverse party of the time and place where the said deposition is to be taken; if out of the County no notice need be given.

SEC. 24. No cause shall be continued unless upon affidavit of a party, or his attorney of the absence of a material witness whose evidence is material to the issue as he verily believes and that the said party cannot safely proceed to trial without the evidence of said witness which he believes he can procure at some future time, which he shall state, or for some other good and sufficient cause.

SEC. 25. In all cases of replevin and attachment the practice prescribed by the laws of Kansas shall be observed; and when in case of attachment the defendant has left the country or keeps himself secreted within the same so that process can not be served upon him publication by posting six notices in as many conspicuous places for ten days in said district, shall be deemed sufficient notice. The order for publication shall not be granted unless a summons has been returned by a proper officer which return shall show that he has made diligent search and inquiry and cannot learn that the defendant is in the district, or that he cannot find the defendant and believes he keeps himself secreted to avoid the service of summons, together with other evidence tending to make either of said facts appear.

SEC. 26. Garnishee process may issue as part of the original writ, to be served on both defendant and garnishee or separately or it may issue after execution is returned unsatisfied; and in either case if the garnishee shall pay the demand over to defendant after legal notice, he shall still be held liable, to the amount of the plaintiffs judgment and costs—if he was indebted to that amount when service was made—and if in a smaller sum, the amount he was indebted at the time notice was served.

SEC. 27. All special proceedings shall be conducted as prescribed by the Judge of the Miners' Court, and all motions relating to such proceedings shall be sustained or approved by affidavits alone.

SEC. 28. New trials of all causes which may be tried shall be granted in accordance with the rules of the common law; and it shall be discretionary with the court in all cases to grant or reject the application.

SEC. 29. No debt or demand of any nature shall be collected by suit in this court which has not originated either in coming to this mining region or since the arrival of such debtor therein.

SEC. 30. In all cases where the liability of persons in actions founded upon contracts or in mixed actions is not pointed out and defined by the laws of this District, the common law rules shall apply as to such liability.

TRIAL AND ITS INCIDENTS.

SEC. 31. In all cases where a civil action is hereafter commenced in the Miners' Court, the plaintiff shall file a bond with good and sufficient sureties, conditioned to pay all costs which may be taxed against him in case he should fail to recover judgment in said suit or in lieu thereof shall deposit with the court a sum of money which the Court shall fix as surety for such costs.

SEC. 32. In case the costs cannot be collected against any defendant, wherein the plaintiff shall recover judgment the said plaintiff shall be held responsible for all costs he shall make in said suit.

SEC. 33. Upon the return day of the summons, if either party shall call for a jury, he shall advance the fees, at the rate of one and a half dollars for each juror who shall try the cause; and in case he prevail in the suit, the fees so advanced shall be taxed against the adverse party; but in case no jury is called for, the cause shall be tried by the court.

SEC. 34. When a jury is called for, the court or Clerk shall call the list of jurors summoned and each party shall alternately strike one from the list until the number is reduced to six which jury shall then proceed to try the case.

SEC. 35. If any person shall enter an appeal from the decision he shall give notice thereof upon the same day that the verdict was rendered either by giving notice in open court or by procuring the same to be entered upon the docket of the Court, and shall perfect his appeal within ten days, by paying up all costs already accrued giving security for future costs and paying into court the sum of fifteen dollars, which shall be equally divided between the Judges of the Court of Appeals.

SEC. 36. The Court of Appeals shall consist of the Judge of the miners court the President of the District, who shall be the presiding judge and the Recorder. Said Court shall sit at such times and places as the presiding judge shall direct; but every case of appeal shall be set for trial within ten days from the time the appeal shall be taken and the decision of such Court shall be final. If either of said judge or judges are in any way interested in the event of any suit they shall be disqualified from trying the same and the remaining Judge or judges with the consent of parties shall proceed to try said cause; and in case they do not consent said judge or judges shall select some competent person or persons to sit with him or them and hear and decide the cause.

SEC. 37. Parties shall have the right of trial by jury in equity as well as law cases; and in such cases the jury may render special verdicts upon upon which the Court may enter judgment and issue its decree or order.

SEC. 38. A juror may be challenged for favor, for cause shown by his own evidence or that of others; and each party shall have the right to three peremptory challenges which challenges shall be made first.

SEC. 39. The defeated party shall in all cases be liable for costs of suit.

SEC. 40. All executions issuing out of the Miners' Court shall be made returnable in twenty days from date; and the constable shall note on each execution the day he received the same, and return said execution within the said twenty days whether satisfied or not, with his proper return endorsed thereon.

SEC. 41. All judgments shall be a lien upon the property of the judgment debtor from the first day of the term at which such judgment was rendered.

SEC. 42. All Attorneys who practice in this court shall take and subscribe the following oath: "You do solemnly swear in the presence of Almighty God that you will support the Constitution of the United States and the laws of this District, and that you will faithfully and honestly perform the duties of Attorney according to the best of your ability."

LEVY AND SALE UPON ATTACHMENT.

SEC. 43. There shall be exempt from levy and sale upon execution, all tools necessary for one person to mine with, all clothing, cooking utensils and bedding necessary for the debtor and his family, and necessary provisions for three months; and if he have a family here a dwelling house and lot not exceeding five hundred dollars in value; such articles of household furniture as are strictly necessary together with a family Bible pictures, and relics.

SEC. 44. All property taken in execution shall be posted in three conspicuous places in the District, for the ten days next preceding the sale thereof; and the Constable may adjourn the sale at any time when it appears that the property posted cannot be sold unless at a great sacrifice for want of bidders.

SEC. 45. Money collected on execution shall be paid into the hands of the Court by the Constable to satisfy the judgment in whole or in part, that may be recorded on his books, and the Court shall pay the same to the proper parties or their attorneys

CRIMES AND NUISANCES.

SEC. 46. All crimes committed in this district shall be punished as a jury of twelve men shall direct.

SEC. 47. Any person who shall cause any nuisance affecting the health of the people of this district or liable to affect the health of the people of this District may be sued for the same in the Miners' Court in the name of "Russell District vs. defendant;" who shall be liable on conviction to pay damages in a sum not exceeding one hundred dollars and costs of suit, for the use of said District

SEC. 48. If any person shall obstruct any highway or make any pit or hole and leave it open so as to endanger life or limb upon any usually traveled road or trail such person may be sued as aforesaid, for committing a nuisance and be liable to said District in damages as provided in section forty seven, with costs of suit.

SEC. 49. Every act of commission or omission, which may affect the public health or convenience, shall be regarded as a nuisance; and the person or persons causing the same shall be liable accordingly.

SEC. 50. After any conviction for a nuisance in said Miners court, if the said nuisance is allowed to remain twenty-four hours thereafter, the person or persons who caused the same and whose duty it should have been to remove it, shall be again liable in damages and shall also be liable for each and every twenty four hours after a conviction as hereinbefore provided in this act.

SEC. 51. Executions for nuisances and crimes shall issue in all cases as hereinbefore specified in the name of the District the same as in any other suit at law.

SEC. 52. The Judge of the Miners' Court shall pay over each week to the treasurer of the District all moneys he may collect from judgments in favor of the District, contempts of court and fines of every kind; and the Treasurer shall not pay out the same to any person, unless upon the order of the President and Judge of the Miners court; and said President and Judge shall have power to order the payment of said funds for public or charitable purposes.

SEC. 53. Any person who shall wilfully or maliciously set out any fire in this District or without this District, so that it shall come into this District and destroy any timber or property, shall be guilty of a misdemeanor; and on conviction thereof shall be punished as the Court may direct. Nothing herein shall be construed so as to invalidate the civil rights of parties.

SEC. 54. It is also declared a misdemeanor to peel any living timber for the sake of the bark, in this District and may be punished as aforesaid.

SEC. 55. The Judge of the Miners' Court and the President of the District shall before they enter upon the duties of their offices, give bonds to the District in the sum of one thousand dollars to be approved by the Recorder of the District; and said bonds shall be safely kept by the Recorder for the use of the District, And the recorder shall as soon as possible—and his successor—before entering upon the duties of his office give bonds to the District in the sum of one thousand dollars, to be approved by the Judge of the Miners' court and the President of the District; and said bond shall be filed with the Judge of the Miners' court.

SEC. 56. The President of the District or in his absence the judge of the miners' Court shall have power to call a meeting of the miners whenever petitioned in writing by fifty miners; and said petition shall specify for what purpose the meeting is desired. It shall be called by posting six notices in as many conspicuous places, in said District at least three days before the time of the meeting; and no meeting shall take action on any subject of general importance, unless such object is specified in such petition

PROBATE JURISDICTION.

SEC. 57. The Judge of the Miners Court shall also have Probate jurisdiction and shall proceed as far as practicable according to the Probate laws of Kansas.

WATER COMPANIES.

SEC. 58. When Water companies are engaged in bringing water into any portion of the mines they shall have the right of way secured to them. and may pass over any claim, road or ditch, provided the water shall be so guarded as not to interfere with any vested rights.

CUTTING TIMBER.

SEC. 59. No person shall be allowed to cut or carry out of the District, logs or timber of any kind except sawed lumber; and any person violating the spirit of this act, shall be adjudged guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars; such fine to be collected in the same manner as other judgments.

BOUNDARIES OF THE DISTRICT.

SEC. 60. The boundaries of this District shall remain as fixed by the convention held at Mountain City last March, until changed by a vote of two thirds of the voters of the District at some public meeting legally called or until changed by a convention of Delegates from this and the adjoining Districts

DEFINING CLAIMS.

SEC. 61. All miners may hold one gulch claim, one quartz or lode claim on each lode discovered, one side and patch claim, by preëmption without any restrictions in regard to working the same; and if purchased there shall be no restrictions, provided said purchase or purchases are in good faith and a fair compensation is paid for the same; and title thereto shall be as good and as sacred as title to real estate in the States.

SEC. 62. A gulch claim is understood to be one hundred feet up or down the center of the gulch, from bank to bank: A lode claim shall be twenty five feet on either side of the stakes of the claimant and one hundred feet running on a line of his stakes provided that the claimant shall have twenty five days to develop his crevice and to rectify his stakes from the day of staking. A patch and a side claim shall be one hundred feet square; and in all cases pre-emptors shall be required to plainly define their boundaries. In staking claims, parties shall state thereon their names the date of staking, and if a lode, the name thereof and number and direction; and in other cases what they claim.

SEC. 63. A mining claim which is actually such a claim as described on the record, shall hereafter hold all mines within its limits or boundaries, When lodes cross each other, the one first discovered shall have the right to work out the crevice through the cross lode; and the person discovering a cross lode shall only work the same up to the first discovered crevice; but priority of claim shall in all cases be respected.

SEC. 64. Building lots shall not exceed one hundred feet front by two hundred in depth and may be preëmpted in more than one parcel to suit the claimant. Mill sites shall be two hundred feet square. Mining claims shall take precedence of all others provided they are first recorded, No other claims shall interfere with said mining claims without the consent of the parties holding such claims. If building claim is the first on record the mining shall be done in such manner as not to injure the building thereon.

SEC. 65. Agricultural claims shall not interfere with mining claims.

DISCOVERY CLAIMS.

SECTION 66. Any person who shall develop a lode shall be entitled to two hundred feet thereon as a discovery claim and shall be required to set a post on his claim, designating the name and direction of the lode and that it is the discovery claim; also he shall develop the crevice.

SEC. 67. Females shall have the same rights as males. Youths under the age of ten years shall not be allowed to hold claims.

SEC. 68. No timber claims are allowed.

RECORDS.

SEC. 69. The Recorder shall provide suitable books for his office in which he shall record all claims deeds, and other papers and documents proper to be recorded upon payment of his fees and shall also file and safely keep all documents which are proper to be so filed upon payment of his fees but it shall not be his duty to prepare any papers whatever for record. Claims shall be fully described in writing stating the time of staking the purpose for which claimed and the names of all persons claiming interest therein and the most natural marks or boundaries together with such other things as shall be necessary to a full description. Each paper presented for record shall be filed therefor with an endorsement stating the exact time it was received and shall be recorded in the order received and after being recorded the book and page on which it is recorded shall be endorsed thereon each deed shall be filed for record within five days after its execution and shall be attested by at least two disinterested witnesses. Said records shall at all proper times be open to the examination of all persons. The Recorder shall not keep office open on Sunday nor receive any papers for record thereon and no record or filing thereon shall be valid. All claims shall be filed for record within six days from the staking thereof

TUNNELS

SECTION 70 Any person or persons driving a tunnel in said District shall be entitled to four hundred feet in length and three hundred feet in width as surface claim at the mouth of said tunnel for tunnel deposits; and to eight hundred feet on each and every lead from the mouth to the terminus of said tunnel and at any place on said leads not interfering with previous claimants it shall be the duty of all persons driving tunnels to post notices giving their terminus and direction at the mouths of their tunnels The location of all tunnels together with their direction and terminus shall be recorded where tunnells are legally located it shall be considered that the tunnel company shall have a priority of right to locate their claims within a distance of four hundred feet on each side of the line of their tunnel on all leads from its mouth to its terminus or on such portion of the tunnel as may be in this District If the person or persons locating a tunnel shall fail to work the same for twenty consecutive days after the first day of July next they shall forfeit their claims to said tunnel but not to the claims they have discovered and held by virtue of discovery before the time of forfeiture

MISCELLANEOUS

SECTION 71 No miner shall obstruct in any way the water running in Russel Ravine or tributaries between the hours of six oclock A. M. and six oclock P. M.

SECTION 72 Every miner shall have the right to open a ditch through the claims below his own for the purpose of draining his claim and each miner shall be required to cut a ditch through his own claim if he be benefited thereby no man shall obstruct the water to the injury of his neighbor above or below as is the custom in mining Countries

SECTION 73 Witnesses shall be entitled to receive one and a half dollars at the time they are summoned if they demand it and the same sum for each days attendance after the first

SECTION 74 Any officer resigning or removing from the District shall be required to deposit all the books papers money etc etc with the remaining officer or officers of the District which officer or officers shall immediately call an election for filling such vacancy

SECTION 75 These laws shall take effect from and after their adoption and shall not be altered or amended without the authority and sanction of two thirds of the voters at any meeting which may be legally called for that purpose

I hereby certify the foregoing to be a true copy of the laws adopted at a miners meeting held in Russell District on Saturday July 28th A. D. 1860. A copy of which is filed in my office

C. S. FASSETT *Secretary of Russell District*

CLEAR CREEK COUNTY.—MONTANA MINING DISTRICT.

MONTANA DISTRICT

At a meeting of the miners of Clear Creek for the purpose of forming a new District
Hon S W Bliss was called to the Chair
Wm F Shaffer was chosen Secretary
The following resolutions were then adopted

Resolved That the name of this district be the Montana District and the boundaries be described as follows Commencing at the mouth of waldens fork Clear Creek and running thence up the south side of Clear Creek two and one half miles and southwardly to the top of the divide embracing all veins included in said boundaries

July 25th 1860

W F SHAFFER *Secty*

Minutes of a Convention of the Montana & Downeyville Districts

Pursuant to the call of said meetings a convention assembled at 2 p m. August 23d 1860
Meeting Called to order by G F Griffith
On motion Mr G. F Griffith was called to the chair
On Motion Mr. A L Gooding was elected Secretary of the Convention
Moved and Carried that T J Simmons have leave to read his series of resolutions
The secretary read the resolutions
The resolutions were voted to be laid upon the table
On Motion the convention adjourned Sine die

GEORGE F GRIFFITH *Chrmn*
A L GOODING *Secretary*

AUG 23 1860

Witness

N. B The above resolutions were not delivered but to the Secretary for copying So were omitted in those minutes

Minutes of a Meeting of the Miners of Montana District

A Regularily called meeting of the miners of the Montana District assembled at 3½ o'clock p. m. Sept 20th 1860
Called to order by the Sheriff of the District
Mr R Hardin President of the Montana District being absent
On Motion Mr Cyrus F Currier was called to the Chair
A L Gooding Recorder of the district in the Secretarys Chair
Mr G F Greffith offered the following resolutions

Resolved that any person or persons taking and claiming lode claims in this district shall be entitled to hold and work any and all Quartz valuable metals and minerals of any and all kinds whatsoever embraced within the limits of his or their claims of fifty feet (50) in width by one hundred (100) feet in length and no person or persons shall lawfully enter upon any part or parcel of such claim or claims for the purpose of digging or mining without the consent of the proper owners or owner

Resolved that any and all persons taking and claiming lode claims in this district shall be entitled to have and to hold a claim by right of preemption on each and every lode in the district

On motion the above resolution was adopted
The following resolution was laid upon the secretarys table to be proposed to the meeting
Secretary read the resolution which was as follows

Resolved that any organized Company doing business in this district and which shall have complied with article 12th of the laws of this district shall be allowed to vote the whole number of votes in said company by their regularily constituted Agent

On Motion the resolution was adopted
On motion adjourned Sine die

C. F CURRIER *Chairman*

ALBERT L GOODING *Secretary*

Wetness
J C WHITHALL
H B NORMAN

MINUTES OF A MEETING OF THE MINERS OF MONTANA DISTRICT HOLDEN APRIL 27TH 1861

Pursuant to a call issued by order of the president of the district Meeting assembled at 3 o'clock P M on April 27th 1861

The President James Livingstone being absent by motion of Mr Hunter E C Williams was called to the chair

Chairman stated the object of the meeting was to elect a Judge of the Miners Court of Montana District in the place of Wm P Records who has removed from the district and to transact such other business as may legally come before the meeting

On motion of Mr Hunter Mr Reuben Benton was appointed Judge of the Miners Court of said district until such time as the district see fit to fill the vacancy caused by the withdrawal of the said recorder

On Motion the above resolution was amended to read as follows

Resolved that Reuben Benton Judge of the Miners Court of Montana District untill such time as the Miners of Montana District see fit to fill the vacancy occasioned by the withdrawal of Wm P Records

On Motion Mr Hunter had leave to offer a set of resolutions to the meeting:

Be it enacted by the miners of Montana District in Convention assembled That the Recorder of Montana District be and is authorized to sell at public auction all claims recorded on the records Books of said district for which the fees shall not have been paid within thirty (30) days after the recording of the same due notice of the same being given of the same by posting notices in three (3) different conspicuous places in said district at least six (6) days in advance of said sales said notice to specify distinctly the time and place of said sale and the Recorder of said district shall be authorized to give deeds for all Claims sold in such manner to the purchasers thereof which deeds shall be good & valid against all claimants whatsoever on the recording of the same.

2d. *Be it enacted by the miners of Montana District in Convention Assembled* That the Montana Road Company be and are allowed and authorized to collect tolls from any and all teams wagons carts vehicles or animals of any description which may pass or be driven over the road lately constructed by them over the Ohio Mountain.

On motion both the above resolutions were carried unanimously

On motion of Mr Ackley

Meeting adjourned Sine die

E C WELLIAMSON *Chairman*

A L GOODING *Secretary & Recorder*

APRIL 27th 1861

CLEAR CREEK COUNTY.—BULL RUN INDEPENDENT OR INDEPENDENCE MINING DISTRICT.

[NOTE.—The copies of the records of this district have been forwarded in a very confused form, portions being evidently omitted in several places. They have been arranged in the order which seemed most consistent.]

Probably Art 1 or 2. As amended Aug 25th 1860 The officers of this District shall be a President Justice of the Peace Sheriff & Recorder The President or Justice of the Peace shall have power to issue warrants atachments sumonses subpœnas and try suits and such shall have power to administer oaths The Sheriff shall have power to arrest parties quell riots and act in full power as sheriff The Recorder shall record all Claims Deeds and transfers when required

ART 3 The size of claims in the district shall be as follows Bar Claims one hundred and fifty feet up and down the creek and extend back to the bluff Hill Claims fifty feet by one hundred Lead Claims fifty feet by one hundred on the lead Gulch Claims from sumit to summit of bluff and one hundred feet up and down the gulch Creek Claims one hundred feet up and down the creek and from bank to bank and not to interfere with bar claims Water Powers six feet head or six hundred feet up and down the creek and shall be made good by putting on one hundred dollars improvements every six months until completed

ART 4 All ditches sluices and Toms shall have the right of way across Claims feet are not to interfere with the working of claims they may cross and when any ditch sluice or tom shall cross a claim or claims which is or are worked the owners of such ditch shall flume or pay for the same being flumed

ART 5th Any company may hold one hundred and fifty feet as bar claims to each member of the company and by having the same recorded may each hold his claim even if the company are at work on only one of the claims The claims must be recorded within five days Lead claims need not be worked this season Hill Claims must be worked every twenty days The Recorder shall have power to administer an oath to any person offering an Instrument for record whenever he shall have double in the case arrest parties and act in full power as sheriff The Recorder shall record all papers tendered him for record on payment of the fees

ART 6 A discoverer of a claim shall be entitled to two claims one as a preemption and one as a discovery Claim The discovery claim he may hold without representation and shall be as real Estate

ART 7 No person shall be allowed to stake or record claims in the names of asent parties all titles shall be proven up in good faith to the Recorder by oath as hereinbefore provided before he can record the same And in any such case fraud when proven shall vishiate the contract Any party or parties jumping a claim or claims before it can be legally done shall be liable to be sued for tresspass and shall pay costs & damages

ART 8 Any person convicted of Perjury shall receive twenty five lashes on the bare back to be inflicted by the Sheriff of the district And any person guilty of theft shall have his punishment assigned him by a Jury of six disinterested men

ART 9 Any party or parties having any suit may have the same brought before a Justice of the peace court or a Jury of six or twelve men and may appeal the case to the miners and their decision shall be finale and any party or parties failing to abide the decision of the Miners shall be put out of the District as far as any rights in any Claims

ART 10 Any party drawing a deadly weapon with intent to kill or do bodily injury his punishment shall be left to the courts

Art 11 The fees of the Justice of the Peace shall be fifty cents per hour while trying a suit fifty cents for each process issued the same at a Jury trial and one dollar for rendering a Judgment

As amended August 25th 1860

Any party or parties having any suit may have the same brought before the President or Justice of the Peace and may appeal the case from the Justice of the Peace to the President and with a Jury of six or twelve men and may appeal the case to the miners whose decision shall be final

As amended Aug 25th 1860

The fees of the President or Justice of the Peace shall be fifty cents per hour while trying a suit & fifty cents for each paper issued the same at a Jury trial and one dollar for rendering a Judgment

Art 12 The Recorder shall receive fifty cents each for recording a claim deed Bill of sale and the same fees for recording any paper left with him for record

Art 13 The fees of the sheriff shall be twenty five cents for serving a subpœnia or summons and one dollar for a warrant and one dollar for empaneling a jury and ten cents per mile each way traveling fees and fifty cents per hour for attending Court

Art 14 The sheriff shall have the power to command assistance when he shall require the same as sheriff Quell riots and any man refusing to assist the sheriff when called upon shall on conviction be fined fifty dollars

Art 15 The fees of a Juror or witness shall be fifty cents per hour while attending court and any person notified to appear as a Juror failing shall be fined at the discresion of the Court

Art 16 No spiritious liquors shall be allowed to be traficed in in this district

Art 17 No title shall be known except the same be upon record Provided this clause shall not be so construed as to compell a man to record his claim that he is at work upon every day But all transfers must be Recorded

Art 18 The by laws of this district may be altered or amended at any meeting called by posting up three notices of the same in three most public places in the district by a vote of two thirds of the Miners present Two thirds of the occupants of any bar may at any time change the name of the Bar and shall get the same recorded All bars shall be numbered from the lower end of the bar up

As amended Aug 25th 1860:

The Recorder shall receive fifty cents each for recording a claim deed Bill of sale or any paper and shall have power to appoint a deputy to act in his absence

Resolution Adopted Aug 25th 1860

Any person holding a claim in this district may get the same recorded by the 15th of Sept 1860 and by so doing may hold the same without representation until June 30th 1861.

In pursuance of a call by the President a meeting was held on Bull Run Independent District March 16th 1861 The meeting was called to order by President Whitford He Mr Whitford then handed in his resignation to the meeting and upon motion Mr W L Wirrick was duly elected President D C McClelland secretary Pro tem E W Stephens Justice of the Peace H M Woodward Sheriff

On motion a committee of three were appointed to draft resolutions for the meeting

The committee reported the following resolutions which were read and adopted separately

This as a whole

Art 1st That each and every person residing in the district shall be entitled to hold (as bar Claims) without representation & as real estate Provided the same be recorded

Art 2 That all creek claims bearing record shall hold good without representation and shall be as real estate

Art 3d Hill claims shall be held as real estate

Art 4th That all persons shall be entitled to (100) one hundred feet (for Preemption) on each and every lode discovered and a discoverer of a lode shall be entitled to (100) feet extra on each and every lode he discovers and the same bearing record shall be held as real estate

Art 5th That all mill or water claims bearing record shall be held as real estate

At a call of the president of the district A meeting was held on Friege Bar Saturday Mar 30 61

The meeting being called to order by President W L Wirrick O B Whitford acting as secretary When on motion the by laws of 1860 were read and on motion a committee of three was appointed to draft resolutions for the meeting which committee consisted of Cheny Stevens & Whitlatch The committee reported the following Resolutions which were taken up separately & finaly on motion adopted as a whole

Resolved That all timber cut before the 30th March 1861 may be claimed & taken away by the owners But no person or company shall hereafter be allowed to cut or take away timbers out of the district under penalty of twenty-five dollars

Resolved 2d That all ditches shall be held as real estate and persons digging a ditch where there is one previously dug shall not be allowed to cut nearer than ten feet on the lower side nor six feet on the upper side

Resolved 3d That no mill or water power claims shall be worked to the disadvantage of the miners whose claims bear record previous that of such mill or water power claims

Resolved 4th That all bills of sale shall have two witnesses residents of the district

As Amended March 30th 1861

That all bars shall be numbered either from the lower end up or from the upper end down

As amended March 30th 1861

That spiritious liquors can be bought and sold in this District by those so disposed

At a call signed by sixty one residents of what had heretofore been the lower end of Union District a meeting was held on Monday July 16th 1861 at the Hart Cabin on New Oxford Barr at which meeting were assembled a majority of the residents of the contemplated district and organized by choosing James H. Green President and W S Sargent as secretary on motion a committee of three was appointed to fix the bounds of the district and to draft a code of By laws which committee consisted of Clark Wm S. Sargent and James Shoemaker on motion proceeded

to elected permanent Officers for the District which resulted as follows for Justice of the Peace Frederick Fruse for Recorder Wm S. Sargent for Sheriff John Sharks The committee on by laws made their report when on motion each article was taken up separately and finaly on motion adopted as a whole as follows

BY LAWS

ART 1st The name of this district shall be Independent District and shall be bounded as follows commencing at the upper end of Buck Eye Barr on Clear Creek and to continue down said Clear Creek to the lower end of Kinyon Barr and one the North to the South Boundary of the District lying on the north and on the south to the North boundary of the district lying on the South and to include all gulches coming into Clear Creek between the upper end of Buck Eye Barr and the lower end of Kinyon Barr

ART 2d The officers of this District shall be one Justice of the Peace One Recorder and one sheriff. The Justice of the Peace shall issue warrants attachments summons subpœnas and try suits when required The sheriff shall have the power

INDEPENDENCE DISTRICT SOUTH CLEAR CREEK *Sept 8th* 1860

Subject to a miners meeting of the above named district a meeting was called to be held at the office of the recorder on Mankato Bar Being Called to order Mr Shoemaker filling the Chair by voice T Coover Secte. Mr William Sargeant offers his resignation as Recorder and being accepted Mr O B Whitford was duly elected

When the following resolutions were passed, to wit:

ART 1 That the Sheriff shall have power to appoint a deputy in case of his inability to attend

ART 2 That where the Creek is bounded by a Barr on either side, Persons holding claims on such bar shall in connection hold 150 feet extending to the center of the creek and the same shall be recorded as one claim and further that where the creek is bounded by but one bar the other side being bounded by the mountain or hill claim That persons claiming on the aforesaid bar shall be entitled to 150 feet including the intire bed of the stream to be recorded as afforesaid

ART 3 That all claims being recorded Sept 15th 1860 shall hold good without representing until June 20th 1861

At a call meeting held on New Oxford Bar Monday Sept 23d 1861 and organized by calling Carter Harland Chairman of the meeting When on motion S. I. Hart was duly elected President of the District and the following resolutions were adopted as a whole

INDEPENDENT DISTRICT SOUTH CLEAR CREEK *Sept 23d* 1861

As the President has been established in other mining districts throughout the Mountains and sustained by deciseons of the Territorial Court under Territorial Law therefore be it enacted by the miners assembled

ART 1 That any person or persons may hold one preemption and all purchased claims they may have as real estate provided the same be on record

ART 2 Be it further enacted that any person or persons holding claims under art one shall upon intention of leaving the Territory shall leave them in charge of some competent person & shall give notice to the Recorder of the District who such person is The Recorder is required to keep a minute of the same

ART 3 Any person or persons leaving the Territory without complying with the requirements of art 2 their claims shall be considered forfeited at the expiration of thirty days these enactments to take effect from and after the passage

CARTER HARLAND *Rec*

JAMES FLETCHER *Secretary*

LAKE COUNTY.—WASHOE MINING DISTRICT.

RULES AND REGULATIONS.

MONDAY *August* 21st 1860

At a meeting of the Miners held on the divide between McNulty's Gulch and the Arkansas River this 21st day of August A D 1860 Mr. A. C. Justice was called to the chair and Scott J. Anthony chosen sec'y of the meeting.

On motion a committee of Three was appointed by the chair, said committee consisting of Scott J Anthony, J. C. Green and Jacob Thomas to report a Code of Laws and rules for the government of the Silver mining region in this vicinity.

The committee reported the following Code of Laws and regulations, which were on the motion received and adopted as follows.

ARTICLE 1st All that tract of country lying along the Silver Lode lately discovered by Mr H. C. Justice for three miles in a northerly direction and three miles in a Southerly direction from the discovery claim and one fourth of a mile upon each side of said Lode be organized into a Mining District to be known and called by the name of the Washoe District.

ARTICLE 2nd This Lode above mentioned shall be known and called the Justice Silver Lode.

ARTICLE 3 There shall be elected a President and Recorder of said District who shall hold their Offices for one year and until their successors are duly elected.

ARTICLE 4. It shall be the duty of the President to preside at all regular meetings of the miners of this District and the President together with the Recorder and one other person to be chosen by the Miners at any regularly called meeting for that purpose, shall constitute a Court for the adjustment of any difficulties or disputes regarding the titles to any Claim or Claims within this district. And the parties constituting said court shall receive the sum of Five dollars each per day while sitting for the adjustment of disputed claims. The sum to be deposited by each party before the case shall be heard. And the party receiving the title to such claim by said court shall receive the sum deposited by him in the hands of said court. But the party feeling agrieved may appeal to the miners, who shall at a meeting called for that purpose by at least twenty four hours notice being given, by three written or printed notices posted up in three public places, one of which shall be at or near the Recorders office, choose from among the miners, six Jurymen who shall be claim holders in the said District.

ARTICLE 5th It shall be the duty of the Recorder to act as Secretary at all regular and called meetings of the miners in this District, and to Record in suitable form all claims in the said District and he shall receive for his services the sum of fifty cents for filing any claim and fifty cents for a certificate of Record and one dollar for Recording the transfer of any claim.

ARTICLE 6th All claims taken upon said Lode shall be numbered in numerical order from the discovery claim North, and in like manner from the Discovery Claim South.

ARTICLE 7th All Lode claims shall extend one hundred feet along said Lode and twenty-five feet upon each side of said Lode, exclusive of the width of the Lode

ARTICLE 8th All Patch claims shall be one hundred feet in length and Fifty feet in width

ARTICLE 9th. All claims must be recorded in the office of the Recorder of the District within ten Days or the same may be forfeited, and may be recorded by any other party, and the Recording of any claim shall be evidence of title

ARTICLE 10th All claims must be represented by working the same by the party recording or his agents on or before the first day of July 1861, or the same shall be forfeited, and may be again Recorded by any other person, and the person so Recording shall commence work upon such claim within Thirty days to entitle him to the ownership there of.

ARTICLE 11th The regular meeting of the miners in this District shall be held on the last Saturday of each month at two O'clock P. M. during the mining Season.

ARTICLE 12th Alterations or Amendments may be made to these rules and regulations at any regular meeting or at any Meeting called for that purpose by first giving twenty four hours notice by petition of at least Twenty five miners of said District the petition to be filed in the Office of the Recorder, and shall state the object of the call. And the Recorder shall give notice by posting three written or printed Notices in as many public places, one of which shall be at his Office.

ARTICLE 13th The discoverer of any Lode in this district shall be entitled to one claim by discovery, and such discoverer or any other person shall be entitled to one Lode Claim and one Patch claim by pre-emption and one or more by purchase.

On Motion Mr. H. C. Justice was unanimously elected Recorder of this District.

On Motion Mr. J. Scott Anthony was duly elected president of the District.

On motion the meeting adjourned until six o'clock P. M.

August 21, 1860

H. C. JUSTICE *Pres*

Attest

SCOTT J. ANTHONY, *Sec'y*

SEPT. 1 1860

Persuent to Order of Last Meeting and on motion of Mr. Justice the Meeting was called to order.

Resolved by the claim holders on the Justice Silver Lode, Washoe District in mass meeting assembled that Scott J. Anthony, Henry E. McKee, and Jacob Thomas be appointed a committee to confer with the meeting now assembled at the head of this Gulch, or with a committee appointed by said meeting for the purpose of adjusting the dispute now existing regarding the title to claims on the said Lode and that we pledge ourselves to abide by the decision of said committee. Carried

It is hereby agreed by and between the undersigned Committee of the Claimants of the Brooks Silver Lode and the Justice Silver Lode, that those having recorded claims on each of said Lodes shall be entitled to the same, that from the seperate discoveries the claims shall follow the main direction of the Lode and midway between the two discovery claims shall be the line of the two lodes, this agreement to be of no force unless adopted by the miners meeting to which the undersigned as committee shall report.

G. F. CROCKER
HUGH STRICKLAND
F. S. BROOKS
Committee of Sullivans District McNulty's Gulch

SCOTT J. ANTHONY
HENRY E. McKEE
JACOB THOMAS
Committee from Washoe District.

SULLIVAN'S DISTRICT

MCNULTY'S GULCH, *Sept.* 1st 1860

At an adjourned meeting of the Miners of Sullivans District, the Committee appointed at the first meeting reported, that an agreement had been made, that those having recorded claims on each of the lodes should be entitled to the same, that from the seperate discoveries the claims shall follow the main direction of the Lode and midway between the two discovery claims shall be the line of the two Lodes, and presented an agreement signed by the committee,

On motion the report was adopted and the agreement ordered to be recorded.

(Signed) HUGH STRICKLAND *President.*

JAMES G EVERETT *Recorder.*

BOULDER COUNTY.—WARD MINING DISTRICT.

CONSTITUTION AND BY LAWS.

Be it Remembered that on the twelfth of September A. D. 1860 the Citizens of Left-hand Creek assembled at a regular called meeting for the purpose of forming a District for mining.

ARTICLE 1st. This District shall be known by the name of The Ward District and bounded as follows: Commencing at a Cottonwood Tree on the south side of Left-hand Creek at the mouth of Smith's Gulch opposite to a large Cliff of rocks being on the North side of Left-hand Creek the same supposed to be the West line of Utilla Dis. running thence North two miles thence West six miles Thence S four miles Thence E. six miles Thence N. two Mis. to the place of beginning.

Art. 2nd The officiers of this Dis. shall consist of a Pres. and Recorder to hold their respective offices until the first Sat. in July A D. 1861 and to be elected Annually thereafter by the regular meetings of the Dis. to be held on the first Sat. of July in each year.

Art 3rd The Pres. and Recorder may call a meeting whenever the business of the of the Dis. requires by posting written notices in three public places in the Dis. giving five days notice or when five or more of the citizens of the Dis. shall require it by giving the Pres. and Recorder written notice of the same.

Art 4th This Constitution shall not be altered or amended until the first Sat. in July A. D. 1861

By Laws of the Ward Mining Dis. Col. The Revision as made Apr. 4th 1861

Art 1st It shall be the duty of the Pres. of this Dis. to preside at all of the public meetings of the Dis. to act as Justice of the Peace and have the general supervision of the affairs of this Dis. that pertain to his office.

Art. 2nd It shall be the duty of the Recorder to record all the proceedings of meetings of the miness also to issue all certificates for claims and survey and stake them and Record the same upon payment of his fees and in case of the absence or inability of the Pres. from any cause to act and officiate in his place and stead and to do such other business as pertains to his office as Recorder.

Art 3rd Each mill site claim shall be of sufficient length to have twenty five feet head and fall on the creek and in width shall extend from Bluff to Bluff, Persons owning such claims shall own and control all the growing timber thereon and shall own and control the valley for mill and other buildings the whole length of his claim except so much thereof as may be necessary for Public roads.

Art. 4th Any person taking a mill site claim in this Dis. shall be required to commence a permanent improvement thereon by the first Sat. in July A D. 1861 and upon failure to do so shall forfeit all right to it and it shall be deemed vacant and subject to preemption.

Art. 5th Any person who shall make a discovery of mineral either in gulch, lead, or otherwise, shall be entitled to one claim thereon by right of discovery and shall name the Lead or Gulch—all Lead claims shall be one hundred feet in length and fifty feet in width, and Gulch Claims shall be one hundred feet in length and extend from bank to bank each claim next to the discovery claim to be called No. one and numbered regularly each way.

Art 6th Any person over the age of sixteen years and a resident of this Colorado Territory shall have a right to preempt one claim only on each Lead or Gulch in this Dis. and all claims in this Dis. shall be considered and held as Real Estate.

Art 7th In case of the absence or inebility of the Recorder to attend to his official duties the Pres. shall act and officiate in his place and stead.

Art. 8th No person shall hold more than one mill site claim in this Dis. except by actual purchase and no person will be permitted to sell a mill site claim until he shall have made at least fifty dollars worth of improvements thereon.

Art. 9th The fees of the officers shall be as follows, the Pres. shall be allowed for presiding at each suit brought before him, three dollars; for issuing each summons, fifty cents; for each adjournment fifty cents; for issuing each execution fifty cents. The Recorder shall be allowed for surveying each mill site claim and recording the same one dollar and fifty cents; for staking and recording each lead or gulch claim one dollar and twenty five cents; Jurors fees shall be fifty cents for the trial of each case.

Art 10th In the trial of each case either party to the suit shall have the right to a trial by Jury in every case if they shall so elect, the Jury shall be chosen by the rules of common law, Common Law and substantial Justice shall be the rule of practice in all cases.

Art 10th No technicalities will be allowed to defeat the ends of Justice.

Art 11th Any person feeling himself agrieved by the decision of the Pres. or Jury shall have the right to an appeal to the miners after having first given bail for the costs and at the decision of the miners shall be fined, all appeals shall be taken within three days from the time Judgment is rendered.

Art. 12th In case any case shall be brought before the first Sat. in July 1861 or any case shall arise so as to need the services of a constable the Pres. shall appoint or deputize some person to act as constable and he shall be allowed for his services three times the amount allowed constables by the statutes of New York.

Art. 13th In every suit of law the party beaten shall be required to pay the costs both in the original and appeal suits provided however if the costs cannot be collected of the defendant execution shall be issued against the plaintiff and it shall be collected from him.

Art 14th Any laws passed previous to this revision and in conflict with it is hereby repealed.

Ward Mining Dis. Col. Ter. *July* 6th 1861

The time for the annual meeting having arrived the meeting was called to order by the Pres. Geo. W. Lane at one o'clock P. M. The minutes of the last meeting were read and approved,

On motion a tax of fifty cents was levied on each claim for road purposes.

Motion made that persons working road taxes be allowded two dollars, carried.

The following Resolutions were adopted

Resolved, That the Pres. appoint a committee of three to view and locate all roads necessary to be made in this Dis. said committee to report to the road commissioner as soon as practible

Resolved That road viewers be allowed two dollars per day for their services to apply on their Road tax

Resolved That the recorder furnish the road commissioner with a list of all the claims recorded in this Dis.

Resolved That owners of claims be allowed until the first day of August 1861 to work out or pay their road-tax and if not paid the Road-Commissioners may proceed to sell the claims (or so much thereof as will pay the taxes and costs) by giving ten days notice of the same by posting notices in three public places of the Dis. and the right of redemption shall be extended until the first Monday in October A. D. 1861 by paying the principle and costs and thirty %, penalty and a deed from the road Commissioner shall be as valid as the original certificate.

Resolved That the Road-Commissioner be allowed two dollars and fifty cents per day for his services until his road tax is paid, and two dollars per day for the rest of the time he is necessarily employed.

Resolved That the Recorder be allowed two dollars and fifty cents per day for making out list of claims for road, Commissioner to apply on his road tax

Resolved That claims in this Dis. that have been recorded in Gold Lake Dis. if not transfered into the recorders books in this Dis. by the first day of August 1861 shall be subject to preemption.

Resolved That water claims that have no improvements thereon and no agents here to represent them are subject to preemption by improvement being done on the same.

WARD MINING DIS. COL. TER. *Sep* 19th 1861

Pursuant to notice a meeting was held at the house of C. Ward, meeting called to order at one o'clock P. M. Motion by Mr. Everly that the Recorders fees be reduced to 50 cents for recording each claim and each person stake his own claim, carried The following resolutions were adopted

Resolved, That there shall be a Sherriff elected in this Dis. and it shall be his duty to act as conservator of the peace, execute all writs issued by the President and perform all the duties pertaining to his office. The Sheriff before entering upon the duties of his office shall file a bond with the Pres. with at least two surities in the sum of five hundred dollars and take the oath of office: The Pres. is hereby empowered to administer the oaths.

Resolved That R. J. Brown Road commissioner be required to make a full written report to the Pre. of all monies he has received for road purposes and how expended and of the amount and No. of Claims sold for taxes and in what manner and for what amount said claims were sold, said report to be filed with the Pres.

Resolved, That the Laws of this Dis. shall not be changed until the next annual meetting.

NOVEMBER 21st 1861

The following Resolutions were adopted,

Resolved That for the developement of the mining interest of Ward Dis. it is necessary that good roads be immediately constructed which on motion was adopted.

Resolved: That A. Davidson, Jas R. White and Wm Stanfield be appointed Road commissioners to view and locate all roads necessary to be built in this Dis. and over see the work on the same with a salary of two dollars per day each for the time necessarily employed.

Resolved, That two dollars per day be allowed for labor done on the road.

Resolved that all timber not enclosed by a substantial fence shall be subject to preemption. but this resolution was not adopted.

WARD DIS. *Sat. July* 5 1862

The annual meeting of the miners of Ward Dis. was called to order by the Pres.

On motion C. W. Ward and J. M. Holt were appointed as a committee to report to this meeting a law regulating Patch Diggings and reported the following, *Laws Definging and Regulating Patch Diggings*

SEC 1st *Be it enacted by the miners of Ward Dis. in the county of Boulder, and Territory of Colorado, in mass meeting assembled* that any piece or parcel of ground, discovered in said district, where there is loose quartz and *pay dirt*, without any Regular crevices, may be termed "*Patch Diggings*," and may be taken up as such by any person authorized to take a claim on patch diggings.

SEC 2d *And be further enacted*, the person discovering patch diggings, shall be entitled to one claim by right of discovery and one claim by preemption and all other persons entitled to take claims on patch diggings may take up and hold one claim by right of preemption on all patch diggings discovered or which may be hereafter discovered in this Dis. A claim shall consist of one hundred (100) feet in length and one hundred feet in width and shall be staked and recorded.

SEC. 3rd And be it further enacted that no person or persons who is not a resident of this Dis. shall be entitled to take up and hold by right of preemption a claim or patch digging that has been discovered or may hereafter be discovered, for himself or any other person who is not a resident of this Dis. or a "*Bona fide*" partner of a resident, and that all claims so held by non residents of this Dis are hereby declared vacant and subject to be taken up by right of preemption by any resident of this Dis. acting and doing business for himself or herself,

After some discussion the report was adopted.

On motion the following was adopted,

Resolved: by the miners of this district that *ninety days* absence from the district shall be considered sufficient time for the loss of residence.

Minutes of Meeting.

SATURDAY EVENING, *Aug.* 23 '62

The miners of this ward district met at the house of C W Ward pursuant of notice of Recorder, who called the meeting to order. The meeting then adjourned to the mill of Messrs Breath and Davidson. Austin Smith esquare was the appointed chairman, and B F Ramage acted as Secretary. The minutes of the last meeting were read and approved. The chairman stated the object of the meeting by reading the notice, viz: To take into consideration the necessity of having a road running up Left Hand Creek.

On motion of Myron Smith a committee of three was appointed to view and locate a road from the mouth of Indiana Gulch up Left hand gulch up Left Hand Creek to the California and Delaware Leads. Myron Smith J M Hott and Jas. W Smith were the committee.

On motion of Daniel Sutphin, that said road be made by subscription. the motion was carried.

On motion of Myron Smith a committee of three was appointed to view and locate a trail from J. M. Holts mill to Warnemakers on Boulder Creek. Myron Smith, Wm Stansfield, and J. W. Smith were said committee.

On motion of Dan'l Sutphin, Geo. Hould was added to the trail committee.

On motion of J. M. Smith S. M. Breath was also added to the trail committee.

Finger Boards were ordered by motion of J. W. Smith, to be placed on the trail. W A Davidson was appointed District Surveyer, S M Breath was recommended for Post Master.

Austin Smith offered the following resolution which was accepted:

Resolved that any person of the age of ten years of age or over, being a resident of this district, the number of days required for

voters, may hold claims in this District provided they work or improve the same or cause them to be worked or improve the same, or cause them to be worked or improved according to the laws of the district and that any law or resolution conflicting with this resolution is hereby repealed.

On motion the meeting adjourned

B. F. RAMAGE, *Sec.*

SATURDAY AFTERNOON, *July* 4, 1863.

The citizens of Ward mining district in conformity with the constitution met in annual meeting at the house of Mr. C W Ward,

W H Osborne was appointed President, B F Ranger secretary.

C Halvasen Jos. Cresby and S Phillips were appointed Judges of Election and C W Ward was appointed clerk

C W Ward offered the following resolution:

Resolved that the Recorder before entering upon the duties of his office shall take and subscribe the following oath: I do solemnly swear that I have never voluntarily bourn arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid countenance, council or encouragement to persons engaged in armed hostility thereto that I have neither sought nor accepted nor attemped to exerise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntarily support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto, and I do farther swear that to the best of my knowledge and ability I will support and defend the constitution of the United States, against all enemies, foreign or domestic, that I will bear true faith and alligence to the same, That I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of Recorder of Ward District, so help me God.

Mr. Ward and Mr Bigsby were the candidates for Recorder.

An election was held, and fourteen votes were cast, of which Mr Bigsby had seven and Mr. Ward seven. The judges therefore declared no recorder elected.

On motion the recorder was directed to have our records legalized by filing in the County Clerk's Office whatever is necessary.

Adjourned till next Saturday the 11st at 5 o'clock P M

B F RAMAGE *Sec*

Minutes of adjourned annual meeting.

SATURDAY, *July* 11, 1863, 5 o'clock.

The miners of Ward District met pursuant to adjournment. The officers of the last meeting were continued

W H Osborn called the meeting to order.

The minutes of the last meeting were read and approved.

C W Ward offered the following resolutions, which were adopted:

1. *Resolved* that the office of President of Ward District, be and the same is hereby abolished.
2. That the recorder may appoint a Deputy and shall be responsible for his official acts.
3. The Recorder shall be required to affit a ten cent Revenue stamp to each and every certificate he shall issue and be allowed to tax the cost of same with the Recording fees.

On motion the meeting adjourned

B F RAMAGE, *Sec.*

CLEAR CREEK COUNTY.—EMPIRE MINING DISTRICT.

LAWS.

By notice a meeting was called by the miners and held on the third day of october 1860 at Smith's tent in Spring Gulch for the purpose of forming a new District and also transact such other business as might come before the meeting

On motion 1st P L Cook was appointed President of the meeting

On motion 2d S Doubleday was appointed secretary of the meeting

On motion 3d *Be it resolved* that a district beginning at the mouth of Spring Gulch from thence on divide between Fall River and said gulch thence around to the head waters of said gulch and thence on divide between mill creek and said gulch and from thence around to the place of beginning Said district to be known as the Empire District

On motion 4th That S Doubleday shall act as recorder of the Empire District

On motion 5th Resolved that a committee of three be appointed to draft such laws as they think proper for the interest of the miners of said District

On motion 6th Resolved that P. S. Cook Wm Hand & S Doubleday shall act as committee

On motion 7th All claims shall hold five days from the time of staking and also five days from the date of filing in said District

On motion 8th The meeting was then adjourned until the 8th of October at 3 o'clock P M 1860

Defining claims.

SEC 1 All miners may one gulch claim one quartz or lode claim on each lode discovered by preempting without any restrictions in regard to working the same and if purchased there shall be no restrictions provided said purchases are in good faith and a fair compensation is paid for the same and title thereto shall be as good and secured as title to real Estate in the States

SEC 2d A gulch claim is understood to be one hundred feet up and down the center of the gulch and from Bank to bank A lode claim shall be twenty five feet on either side of the stakes of the Claimant and one hundred feet running in a line of his stakes and in all cases preemption shall be required to plainly define their boundaries in staking and if a Lode the name thereof and number and direction and in other cases what they claim

SEC 3d When lodes cross each other the one first discovered shall have the right to work out the crevice through the crosslode and a person discovering a crosslode shall only work the same up to the first discovered crevice but priority of Claims shall in all cases be respected

SECTION 4 Gulch Claims shall take preceedance over all others No other claims shall interfere with said mining Claims without the consent of the parties holding such Claims

Discovery Claims

SECTION 5 Any person who shall develop a lode shall be entitled to two hundred feet thereon as a discovery claim and shall be required to set a post on his claim designating the name and direction of the lode and that it is the discovery Claim also he shall develop the crevice

SECTION 6th Females shall have the same rights as males Youths under the age of ten years shall not be allowed to hold claims

SECTION 7 No timber Claims are allowed

SECTION 8 Any miner shall have the right to open a ditch through the claim below his own for the purpose of draining his own claim and each miner shall be required to cut a ditch through his own Claim if he be benefited thereby no man shall obstruct the water to the injury of his neighbour above or below his claim as is the costoom in mining Countries

SECTION 9 Any person or persons driving a tunnel in said district shall be entitled to four hundred feet wide and the right of way through all discovered lodes two hundred feet on each side of said tunnel and also sufficient room at the mouth of said tunnel for tunnel deposits Tunnel claims shall not be limited in regard to their length it shall be the duty of all persons in drifting a tunnel to post a notice giving their terminus and direction at the mouth of their tunnel the location of all tunnels together with their direction and terminus shall be recorded when tunnels are legally located it shall be considered that the tunnel company shall have a priority of right to locate their tunnels within a distance of ten hundred feet on each side of their line of their tunnel on all lodes from its mouth to its terminus or on such portions of the tunnel as may be in the district if the person or persons locating a tunnel shall fail to post a notice at the mouth of said tunnel giving the direction and their names they shall forfeit all their right to said claim

SECTION 10 The tunnel law shall not be so construed as to hold only the lodes discovered by the tunnel Company in said tunnel

SECTION 11 On all lodes running paralell with any tunnel the tunnel company shall not be allowed to hold only four hundred feet thereon

SECTION 12 After one hundred dollars worth of labor be expended by any tunnel company building a tunnel in this district by sticking a stake on every hundred feet on the line of their tunnel from its mouth to its terminus shall be entitled to one hundred feet on every lode which may be discovered within the limits of their tunnel also one hundred dollars worth of labor be performed

SECTION 13 No person shall be allowed to cut or carry out of this district logs or timber of any kind except sawed lumber and any person violating the spirit of this act shall be adjudged guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not exceeding one hundred dollars such fine to be collected in the same manner as other Judgments

SECTION 14th The recorder shall provide suitable books for his office in which he shall record all claims deeds and other papers and documents proper to be recorded upon payment of his fees and shall also file and safely all documents which are proper to be so filed upon payment of his fees But it shall not be his duty to prepare any papers whatever for record Claims shall be fully described in writing stating the time of staking the purpose for which claimed and the names of all persons Claiming interest therein and the most natural marks or boundaries together with such other things as shall be necessary to a full discription each paper presented for record shall be filed therefor with an indorsement stating the exact time it was recieved and shall be recorded in the order recieved and and after recorded the book and page in which it is recorded shall be indorsed thereon each deed shall be filed for record within five days after its execution and shall be attested by at least two disinterested Witnesses such records shall at all proper times be open to the examination of all persons all claims shall be filed for record within six days from the staking thereof

SECTION 15th The recorder of this district shall hold his office until by some misconduct he shall be removed from his office by two-thirds of the majority of the miners of said district his fee shall be fifty cents all over one hundred words one dollar

SECTION 16th All disputes arising between the miners of said district shall be settled by the miners of said district

SECTION 17 *Be it resolved* that P. S. Cook shall act as president of the Empire District

SECTION 18 There shall be five notices posted up in this district in the most conspicious in said district giving three days notice for any legal meeting which shall be called by the president of this district

SECTION 19 All claims taken previous to the organization of this district will be transfered free of charge within thirty days or they will not be respected

SECTION 20 These laws shall take effect from and after their adoption and shall not be changed or amended without the authority of two thirds of the majority of the voters at any legal meeting which may be called by the president for the purpose

A meeting was held on November 9, 1860 by the miners of the Empire District for the purpose of electing delegates to attend a convention held at Central City on November 10th 1860 P. S. Cook J E Verne & William Hand was elected as delegates of this district

WM HAND *President*

S DOUBLEDAY *Secretary*

At a meeting Called by the miners of the Empire district on the 12th day of March 1861 for the purpose of electing officers and also transact such other business as might come before the miners of said district

CHAPTER 1ST

On motion first that S Doubleday shall act as recorder for the term of one year from date carried

CHAPTER SECOND

On motion second that Wm Hand shall act as Judge of this district for the term of one year from date carried

CHAPTER THIRD

On motion third that I Cropen shall act as sheriff of this district for the term of one year from date

CHAPTER FOURTH

On Motion fourth that the laws of the Russell district be adopted by the miners of this district

CHAPTER 5th

On Motion fifth that a town site at the mouth of spring gulch and vances gulch be surveyed out and to be known as of a city

CHAPTER 6th

On Motion sixth that all building lots shall be forty feet in front by one hundred feet in depth

CHAPTER SEVENTH

On Motion 7th All building lots shall be built upon within thirty days after being recorded or forfeit all right to said Claim

CHAPTER EIGHTH

On Motion 8th That all building lots shall be recorded

CHAPTER NINTH

On Motion 9th That I E Vance shall act as Superintendent of a road up spring Gulch

CHAPTER 10TH

On Motion 10th All persons interested in building a road up spring Gulch shall hold it as a toll road untill a fair Compensation is received for the same

CHAPTER 11TH

On Motion 11th All wagons coming into this district on said road shall be taxed the sum of twenty five cents each

CHAPTER 12TH

On Motion 12th All labor done on said road shall be allowed at the rate of two dollars per day

CHAPTER 13TH

On Motion 13 That J L Cook shall act as president of this district for the term of one year from date

CHAPTER 14TH

On Motion 14 that this meeting be adjourned Carried

At a meeting held by the miners of the Empire District on the 18th day of March 1861 an act in relation to the officers of Empire District their duties term of office and fees

SECTION 1st *Be it enacted by the Citizens of Empire District in convention assembled* that there shall be elected by the legal voters here assembled a Judge of the miners court a constable of the district a president of the District who together with the recorder of the District shall hold their offices until the 18th day of March 1862 unless they shall sooner die resign remove from the district or be removed from their officers for misconduct by the citizens of the district Before entering upon the duties of said offices shall take an oath well and faithfully to perform the duties thereof according to the best of their ability the recorder shall be ex-officio secretary and treasurer of said district

SECTION 2 It shall be the duty of the President to preside at all public meetings of the citizens of the district when called for purposes relating to public business and to preside at the trial of cases when required by law

SECTION 3 It shall be the duty of the Judge of the Miners Court to preside at the trial of causes also at public meetings in the absence of the presedent and perform such other duties as the law requires

SECTION 4th It shall be the duty of the recorder safely to keep the books and records of the District and and to record and file all proper papers upon payment of his fees to act as secretary at public meetings of the district and to keep all moneys paid into his hands by the Judge of the miners Court to pay over as directed by the Citizens at some public meeting legally called

SECTION 5th The sheriff of arapaho County shall be vested with the same power by these laws as he has under Kansas laws but the constable of the district and his deputies shall be the proper executive officer of the miners Court and is hereby vested with full power for that purpose

SECTION 6th The fees of the Recorder shall be fifty Cents for recording each Mining and deed containing less than one hundred words and one dollar for those containing over that amount and at the rate of fifty cents per hundred words for all other papers recorded and such other fees for district business as the Citizens shall allow The constable may charge one dollar for the service of writs or papers which he may be required to serve and twenty-five cents per mile for all travel necessary in such service and twenty per cent on all sums less than fifty dollars ten per cent on all sums over fifty and under three hundred dollars and fifty per cent on all sums over that sum which he shall collect by sale of property on execution and shall be required by the Judge to give suitable security for all process placed in his hands The Judge of the miners court shall keep a regular docket of all proceedings had before him shall be allowed five dollars for presiding at each trial which shall be paid to the President when he shall preside and be allowed at the rate of twenty-five cents per hundred words for making out the proper papers for him to make out except writs for original service in suits and Judgments and exicutions for each which he shall be entitled to one dollar

SECTION 7th Any person of suitable age who actually resides in this district is hereby declared to be a voter therein

Establishing a miners court—Regulating its jurisdiction

SECTION 8 A regular term of court to be known as the miners Court shall be held in this district in some convenient and proper place upon Fridays of each week at nine o'clock A M and all writs to be made returnable at said term shall be served before the Friday preceeding if not so served they shall be returnable at the second term after service nothing herein shall be so construed as to prevent the trial of criminals at any time

SECTION 9 The officers of said Court shall be the Judge Clerk Sheriff of Arapaho County and his deputies Constable of the District and his deputies and the attorneys of said Court regularily admitted as such

SECTION 10th It shall be the duty of the Court to sign all writs issuing out of said Court by himself or his Clerk make all transcripts of Judgments required on payment of his fees to enter Judgments and issue exicutions and pay over to the proper parties moneys collected on such Judgments and executions to try and to try all criminals and pay over to the Treasurer all moneys he may receive for the district for fines and Judgments and perform such other duties as necessaryly appertain to his office

SECTION 11 If the Judge of said court shall not be to attend any trial or shall be disqualified from any cause to try any suit or if there shall be more business than the court can attend to or if any person shall make his affidavit in writing that he does not believe he can have a fair and impartial trial before the said Judge of said court or if the said court be interested in the event of any suit either as plaintiff or defendant or with either of them in any manner the President of the District shall preside in the miners Court at such trial

SECTION 12 The miners Court shall have equity as well as law Jurisdiction and may grant writs of injunction in all proper cases and all other causes upon proper cause shown to be supported by affidavits alone and upon all such and acts such as a court of equity has power to do

SECTION 13th The miners Court shall have power to fine for contempt of in a sum not exceeding fifty dollars and may issue execution thereon the same as upon a Judgment

SECTION 14th The said court shall have power to appoint its own Clerk whenever it shall be necessary and such Clerk shall have the usual power of Clerks of courts of record

SECTION 15 The Jury for each term of Court shall be drawn upon the monday next preceeding each term in the following manner the constable or his deputy shall place the names of not less than fifty four men who shall be voters of the district in a box prepared for the purpose and the Judge or Clerk of the court shall draw therefrom the names of eight men who shall be summoned to act as Jurors for the next succeeding term of Court when necessary the Constable may summon tally men but no person shall be compelled to serve as Jurors for two successive terms of court

In relation to practice

SECTION 16 If any person shall wish to commence a civil action in the miners Court of this district he shall file with the Judge or clerk thereof a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a Cause of action in plain and unequivocal language such statement shall be called a petition and no pleadings shall be void on account of form and upon the filing thereof the court or clerks thereof shall issue a writ of summons to be served upon the defendant to appear and answer to the same at the time therein mentioned or Judgment will be taken against the defendant by default if the relief demanded be for a sum of money the amt shall be stated in the summons if for a sum of money and other relief the summons shall state in substance that if the defendant does not appear and answer at the time therein named Judgment will be taken against him by default for the sum of money demanded and such other relief as to the court may seem meet if the remedy applied for shall not be for any sum of money the summons shall ask Judgment for the relief demanded in the petition

SECTION 17 The defendant may at any time before the time of trial of any case at law entered in the miners Court file his answer or demand upon either which the plaintiff join issue And if an answer be filed containing new matter irrelevant to the issue it must be denied or divided by the plaintiff in his reply and all matters not denied or divided by one pleading subsequent to another shall be taken as confessed an true

SECTION 18 All pleadings subsequent to the petition in equity shall be the same as used in the United States Courts in equity and the term of three days shall be granted for the filing of each pleading subsequent to another until the issue is made up

SECTION 19 All pleas in equity shall be verified and no remedy in equity shall be allowed where the same can be had at law

SECTION 20 In all cases of foreclosure of mortgage or lien of any kind upon a claim on other property the equity of redemption shall not exceed beyond thirty days

SECTION 21 In cases of Judgment for partition of claims between Joint owners three disinterested Commissioners shall be appointed by the court who shall affect such partition

SECTION 22 The rules of evidence as admitted in the courts of the United States shall be observed in the miners court with the exception that either party may be allowed to testify in open Court to any facts which they are unable to prove by any other witness

SECTION 23d Depositions may be used in this Court in evidence provided the witness is sick or unable to attend the place of trial about to leave the county or is out of the Jurisdiction of the court if to be taken out in the country of Arapaho notice shall be given to the adverse party of the time & place where the said deposition is to be taken if out of the county no notice be given

SECTION 24th No cause shall be taken unless upon affidavit of a party or his attorney of the absence of a material witness whose evidence is material to the issue as he verily believes and that the said party cannot safely procure a trial without the evidence of said witness which he believes he can procure some future time which he shall state or some other good and sufficient Cause

SECTION 25 In all cases of replevin and attachment The practice prescribed by the laws of Kansas shall be observed and when in case of attachment the defendant has left the country or keeps himself secreted within the same so that process cannot be served upon him publication by posting six notices in as many conspicious places in said district for ten days shall be demanded sufficient notice the order of publication shall not be granted unless a summons has been returned by a proper officer which return shall, that he has made diligent search and inquiry and cannot learn that the defendant is in the district or that he cannot find the defendant and believes he keeps himself secreted to avoid the service of a summons together with other evidence tending to make either of said facts appear

SECTION 26th Garnishee process may issue as part of the original writ to be on both defendant and garnishee or separately or it may issue after exicution is returned unsatisfied and in either case if the garnishee shall pay the demand over to the defendant after legal notice he shall still be held liable to the amount of the plaintiffs Judgment and costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

SECTION 27th All special proceedings shall be conducted as prescribed by the Judges of the Miners Court and all motions relating to such proceedings shall be sustained or approved affidavits alone

SECTION 28 New trials of all causes which may be tried shall be granted in accordance with the rules of the common law and it shall be discrecionary with the court in all cases to grant or reject the application

SECTION 29th No debt or demand of any nature shall be collected by suit in this court which has not originated either in coming to this mining region or since the arrival of such debtor therein

SECTION 30 In all cases where the liability of persons in actions founded upon contracts or in mixed actions is not pointed out and defined by the laws of the district the common law rules shall apply to said liability

SECTION 31 In all cases where a civil action hereafter is commenced in the miners Court the plaintiff shall file a bond with good and sufficient securitys conditioned to pay all costs which may be taxed against him in case he should fail to recover Judgment in said suit or in lieu thereof shall deposite with the court a sum of money which the court shall fix as security for such costs

SECTION 32 In case the costs cannot be collected against any defendant wherein the plaintiff shall secure Judgment the said Plaintiff shall be held responsible for all costs he makes in said suit

SECTION 33 Upon the return day of the summons if either party shall call for a Jury he shall advance the fees at the rate of one and a half dollars for each juror or shall try the case and in case he prevail in the suit the fees so adverced shall be taxed against the adversed party but in case no Jury is called for the cause shall be tried by the court

SECTION 34th When a jury is called for the Court or Clerk shall call the list of Jurors summoned and each party shall alternately strike one from the list until the number is reduced to six which Jury shall then proceed to try the case

SECTION 35th If any person shall enter an appeal from a decision he shall give notice thereof upon the same day that the verdict was rendered either by giving notice in open court or by procuring the same to be entered upon the docket of the court and shall perfect his appeal within ten days by paying up all costs already accrued giving security for future costs and pay into court the sum of fifteen dollars which shall be equally divided between the Judges of the courts of appeals

SECTION 36th The Court of appeals shall consist of the Judge of the Miners Court the President of the district who shall be the presiding and the recorder said Court shall set at such times and places as the presiding Judge shall direct but any case of appeal shall be set for trial within ten days from the time of appeal shall be taken and the decision of such court shall be final if either of said Judges are in any way interested in the event of any suit they shall be disqualified from trying the same and the remaining Judge or Judges shall select some competent person or persons to set with him or them and hear and decide the cause

SECTION 37 Parties shall have the right of trial by Jury in equity as well as law cases and in such cases the Jury may render special verdicts upon which the court may enter Judgment and issue its decree as ordered

SECTION 38 A Jury may be challenged for favor for cause shown by his own evidence or that of others and each party shall have the right to three peremptory Challenges which challenges shall be made first

SECTION 39 The defendant party shall in all cases be liable for all costs of suit

SECTION 40 All executions issuing out of the miners Court shall be made returnable in twenty days from date and the constable shall note on each exicution the day he received the same and return said exicution within the said twenty days whether satisfied or not with his proper return endorsed thereon

SECTION 41 All Judgments shall be a lien upon the property of the Judgment debtor from the first day of the term at which Judgment was rendered

SECTION 42 All attorneys who practice in this Court shall take and subscribe the following oath You do solemly swear in the presence of almighty god that you will support the Constitution of the United States the laws of this district and that you will faithfully and honestly perform the duties of attorney according to the best of your ability

SECTION 43 Cry and sale upon Exicution There shall be exempt from levy and sale upon exicution and tubs necessary for one person to mine with all Clothing Cooking utensils and bedding necessary for the debtor and his family and necessary provisions for three months and if he have a family here a dwelling house and lot not exceeding five hundred dollars in value such articles of household furniture as are strictly necessary together with a family Bible pictures and relics

SECTION 44 All property taken in execution shall be posted in three conspicious places in the district for the next ten days preceeding the sale thereof and the constable may adjourn the sale at any time when it appears that the property posted cannot be sold unless at a great sacrifice for want of bidders

SECTION 45 Money collected on exicution shall be paid into the hands of the court by the constable to Satisfy the Judgment in whole or in part that may be rendered on his books and the court shall pay the same to the proper parties or their attorneys

Crimes and Nuisances.

SECTION 46 All crimes committed in this district shall be punished as a Jury of twelve men shall direct

SECTION 47. Any person who shall cause any nuisance affecting the health of the people of this district may be sued for the same in the miners Court in the name of Empire District as the defendants who shall be liable on conviction to pay damages in the sum not exceeding one hundred dollars and costs of suit for the use of said district

SECTION 48 If any person shall obstruct any highway or make any pit or hole and leave it open so as to endanger life or limb upon any usually travelled road or trail such person may be sued as aforesaid for committing a nuisance and be liable to said district in damages as provided in section forty-seventh with cost of suit

SECTION 49 Every act of commission or omission which may affect the public health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable accordingly

SECTION 50 After any conviction for a nuisance in said Miners Court if the said nuisance is allowed to remain for twenty-four hours thereafter the person or persons who cause the same and whose duty it should be to preserve it shall be again liable again in damages and shall also be liable for each and every twenty four hours after a conviction as hereinbefore provided in this act

SECTION 51. Exicutions for nuisances and Crimes shall issue in all cases as hereinbefore specified in the name of the district the same as in any other suit at law

SECTION 52 The Judge of the miners Court shall pay over each week to the treasurer of the district all moneys he may collect from Judgments in favor of the district contempt of Court and fines of every kind and the treasurer shall not pay the same out to any person unless upon the order of the president and Judge of the Miners Court and said President and Judge shall have power to order the payment of said funds for public charitable purposes

SECTION 53 Any person who shall wilfully or maliciously set out any fire in this district or without this district so that it shall come into this district and destroy any timber or property shall be guilty of a misdemeanor and on conviction thereof shall be punished as the court may direct Nothing herein shall be construed so as to invalidate the civil rights of parties

SECTION 54 It is also declared to be a misdemeanor to fell any living timber for the sake of the bark in this district and may be punished as aforesaid

SECTION 55 The Judge of the miners Court and the President of the district shall before they enter upon the duties of their office give bonds to the district in the sum of one thousand dollars to be approved of by the recorder of the district and said bonds he shall be safely keept by the recorder for the use of the district And the Recorder shall as soon as practicable and his successor before entering upon the duties of his office give bonds to the district in the sum of one thousand dollars to be approved by the Judge of the miners Court and president of the district and said bonds shall be filed with the judge of the miners Court

SECTION 56 The president of the district or in his absence the Judge of the Miners Court shall have power to call a miners meeting whenever petitioned in writing by fifty miners and said petition shall specify for what purpose the meeting is called desired it shall be called by posting six notices in as many conspicious places in said district at least three days before the time of the meeting and no meeting shall take action on any subject of general importance unless such subject is specified in such petition

SECTION 57 Probate jurisdiction The Judge of the miners Court shall also have probate Jurisdiction and shall proceed as far as practicable according to the Probate laws of Kansas

SECTION 58 Witnesses shall be entitled to receive one and one half dollars at the time they are summoned if they demand it and the same sum for each days attendance after the first

SECTION 59 Any officer resigning or removing from the district shall be required to deposite all the books papers money &c &c with the remaining officers of the district Which officer or officers shall immediately call an election for filling such vacancy

SECTION 60 The laws shall take effect from and after their adoption and shall not be altered without the authority or sanction of two thirds of the voters at any meeting which may be legally called for that purpose

I hereby certify the foregoing to be a true Copy of the laws adopted at a miners meeting held in Empire District on Monday March the 28th 1861 a copy of which is filed in my office

I DOUBLEDAY
Secretary of Empire District.

CLEAR CREEK COUNTY.—CASCADE (?) MINING DISTRICT.

At a meeting held on Chicago creek Oct 9 1860 Dr J Paul Garvin in the chair and W S Campbell secretary it was resolved to form a mining District beginning at a point one mile below the mouth of Cascade run and running thence up Cascade Creek three miles extending to the top of the divide on either side It was also resolved that a committee be formed to draft laws for said dist. Committee W. E. Sisty & Fox Deifendorf

LAWS DEFINING CLAIMS

SECTION 1 Each bar claim shall have one hundred feet front & extend back from creek to the base of the Mountain Each lode claim shall be one hundred feet long & fifty feet wide

Each water claim shall be four hundred feet in length

Each flume claim shall be two hundred feet long extend to low water mark on either side of creek

Each tunnel claim shall have a stake at the entrance defining its course and length

SEC 2 Each person shall be entitled to one of the before mentioned claims by preemtion if he be a resident of this Gold bearing region & the discoverer shall be entitled to one extra by right of the discovery

SEC 3 Each discovery claim shall be worked as such & all purchased claims shall be recorded & in either case shall be held as such whether worked or not

SEC 4 When members of a company shall work one claim of the company the rest shall be considered as worked

SEC 5 In all cases where parties shall have complied with the laws priority of claims when honestly carried out shall be respected

SEC 6 In all contracts a partnership or agreement whereby an interest in claims are concerned and all contracts relating thereto hereafter made shall be in writing and give the names & interest of the parties & when a partnership the name of the firm als & the same shall be recorded within thirty days of the date of contract shall not be considered binding or affecting any but the original parties in the transaction whatsoever

SEC 7 All deeds contracts Bonds Bells of sale or instruments of any kind that relate to the conveyance of claims & Bonds shall be witnessed by at least two disinterested persons and recorded

SEC 8 Any person using a quartz mill claim upon which he has or is preparing to place a mill may claim the right to cut a ditch or race upon any stream to bring water to said mill if he does not interfere with vested rights

SEC 11 When water cos, are engaged in bringing water into any part of the mines they shall have the right of way secured to them and may pass over any claims road or ditch provided the water shall be so guarded as not to intefere with any vested rights

SEC 12 Claims of every kind except Dist claims must be recorded unless said claims are continuously worked or used according to law

SEC 13 The rules and regulations observed within the United States relating to Diggins for gold under building lots Ranch farm and other claims shall be observed in this district

SEC 14 Any person that shall locate a tunnel in this district for the purpose of discovery shall first file specifications of the same with the recorder whose duty it shall be to record them

SEC 15 Any person or persons engaged in working a tunnel provided he or they shall comply with the laws of the dist shall be entitled to two hundred and fifty fee on each side of all Lodes discovered in consequence of the same & shall hold it the same as a discovery claim provided they do not intefere with any vested rights & if it shall appear the lode is so staked that they cannot get the requisite number of feet near the said tunnel they may be taken upon any part of said lode when it may be vacant

SEC 16 Any person or persons working a tunnel shall after the same is legally located shall have the priority of right to said lodes discovered on the recorded line of the tunnel from its mouth to its end and shall have the right of way through all lodes in its recorded course

SEC 17 All persons holding preemtion claims shall work them at least one half day in every ten

SEC 18 In case of trials security for costs must be given previous to suit

SEC 19 No person shall be allowed to vote on any questions involving miners interests unless holding or representing an interest in the district

SEC 20 The officers of this district shall consist of a President Justice of the Peace Recorder & sheriff who shall hold their office for the space of one year after the election All officers to be elected by Ballot

SEC 21 Duties of officers President it shall be the duty of the president to preside at all meetings unless absent or interested Recorder it shall be the duty of the recorder to keep a book for recording claims bonds deeds &c &c presented for record & to post notices giving at least three days notice of the election of officers for all vacancies or term of office expireing

CLEAR CREEK COUNTY.—CANION MINING DISTRICT.

BY LAWS.

SECTION No 1 This District shall be known as Canion Mining District

SECTION No 2 The boundaries shall be as follows Commencing at the boundary line of Independence Mining District known as the mouth of Willow Creek running south to the top of the mountain Thence down Clear Creek to the mouth of North Clear Creek thence running up the top of the divide between Said creeks to the North East line of Independence Mining District

SECTION No 3 The officers of this district shall be one President one Justice one Recorder and one sheriff whose terms of office shall be one year and until their successors are elected

SECTION No 4 That it shall be the duty of the sheriff to attend to all misdemeanors that is transacted in the district and if such subject shall flea after committing any depredation it shall be ordered in power of the Sheriff to bring such subject to be tried before Justice of said district

SECTION No 5 That the Recorder shall keep a strict account of all proceedings that are transacted in the district that he shall also be entitled to fifty cents for each and every claim or paper he records

SECTION No 6 That the Sheriff & Justice shall be allowed when on duty fifty cents per hour & fifty cents for serving every subpœna and also it shall be allowed to the Justice for issuing a subpœna & for rendering a Judgment one dollar

SECTION No 7 If any person or persons be guilty of stealing they shall be taken before the Justice of said district and be tried for their guilt and if said person or persons be found guilty they shall be punished if the theft exceeds one hundred dollars he or they shall be hanged by the neck until they are dead and if the theft is less he or they shall receive not less than five lashes or more than forty-five lashes

SECTION No 8 That no person or persons shall be allowed to vote in the district without such person or persons shall hold an interest or be a working in the district

SECTION No 9 Creek Claims shall be one hundred and fifty feet measuring in a straight line up and down the creek and extending from bluff to Bluff

SECTION No 10 Each Miner is entitled to one creek one hill claim one lode claim by preemption The discovery of a lode or hill diggins is entitled to a discovery and preemption on the same or on each and every lode or hill he may discover

SECTION No 11 That each and every claim shall bear Record before sutch Claim hold good each and every claim shall be numbered commencing East line of Independence District And running down the creek

SECTION No 12 Lode Claims shall one hundred feet by fifty Each and hill Claims shall be one hundred feet running east and west & running from the top of the hill to the foot

SECTION No 13 Each and every Claim must be recorded within ten days after filing if not they shall be forfeited

SECTION No 14 That all creek claims shall hold good that record until October the 20th 1861

SECTION No 15 All lode and hill claims bearing record shall hold as real estate

SECTION No 16 There was a election held in Canion District And Wm Jones was appointed president of Canion District and duly elected J W Wheitchlatch was appointed Justice of peace and duly elected Joseph Reynolds was appointed Sheriff & duly elected Benj Cherry was appointed Recorder & was duly elected

OCTOBER *the 20th* 1861

This day a meeting of the miners of Canion District was held at James Whettaech house on South Clear Creek Buckeye B. Joseph Reynolds chosen president and the house called to order

SECTION 17 *Resolved* that all creek claims hold as real estate until the first of April 1864 This being October the 20 1861 South Clear Creek Canion District

BENJ CHERRY *Recorder*

SUMMIT COUNTY.—BUFFALO FLATS AND ERIE MINING DISTRICT.

BUFFALO FLATS ERIE DISTRICT *Octo* 21. 1860

Gentlemen assembled pursuant to notice and organized by electing R. W. Farwell Secretary pro tem and Z. Stroup president for the year ensuing and W. G. Reed Recorder H. M. Farwell. stake driver.

On motion voted that a committee of three be nominated to draft a constitution and By Laws and Report at next meeting The following gents were elected Noah. Newbanks Z. Stroup George Rendell committee

On motion voted that all claims not represented next Sunday Oct 28. 1860 will be forfeited.

On motion voted that the Recorder and stake drivers Receive Fifty cents for each and every claim measured

On motion ordered that we adjourn till next Sunday Octo 28. 1860.

R W FARWELL *Secy pro tem*
W G RIED *Recorder.*

BY LAWS AND CONSTITUTION OF ERIE DISTRICT

1. The boundary south by lower line of 30 in Gold Run running down said run to the mouth and half a mile each side
2. The officers of this district shall consist of a president and secretary whose term of office shall continue one year
3. All disputes shall be settled by a miners meeting called by the president whose decision shall be final
4. It shall be the duty of the president to call all meetings. when petitioned by 5 or more miners and to preside at the same.
5. It shall be the duty of the secretary to keep a faithful journal of the proceedings of the legal meetings and to call all meetings when authorized by the president by posting notices in 3 public places in the District and giving 3 days notice of the same. To record all claims & keep a faithful record of the same for which he shall receive the sum of Fifty cents for each and every claim recorded.
6. Each claim shall extend 100 feet up and down the Gulch and across from bank to bank
7. Each miner shall be entitled to one Gulch one Bar and one Lead claim by preemption one hundred feet square.
8. Every claim represented on the 29th of Oct 1860. shall hold good till the fifteenth of June 1861.
9. Any person wishing to leave by recording their claims. said claims shall hold good for the time specified in the above article
10. Any persons or company buying claims shall hold the same by working on one or more of said claims. any company holding claims in said district shall hold the same by working on one or more of said claims
11. No sale of claim or claims shall be valid unless signed by 2. respectable witnesses and each name of the company buying and selling shall be on the Bill of Sale or Deed
12. The Recorder and the Stake driver shall receive fifty cents for each claim measured and numbered said claim holding good for the fees till paid for.

13. All persons holding claims by purchase heretofore shall present the Bill of sale or prove by 2 respectable witnesses the purchase of the same on the 29th of Octo 1860.

14 These laws may be altered or amended at any regular meeting by a two third vote of the miners in said district.

Octo 24. 1860

Z. STROUP
NOAH NEWBANK
GEORGE RENDALL.
Committee

W G. REID *Recorder*

BUFFALO FLATS *April* 7, 1861.

On motion voted that a committee of three be appointed by the president to draft laws regulating the waters to claim holders to be used the ensuing season in this district and report at the next meeting

George Rendell Noah Newbanks W. G. Reid committee

On motion voted (as an amendment to article 1. in the by laws of this district) to extend this district from the southern boundary as fixed or may hereafter be fixed west or south of west to French Gulch Striking at or near the mouth of Gibson Gulch thence down French Gulch to Blue river and down Blue River to a certain point that may in the East line of said District extended north till it strikes Blue River

On motion voted that a committee of three be appointed by the president to confer with the claim holders on Gold run above No 30. (below Discovery) about joining and extending this district up. and report at the next meeting—

REPORT OF COMMITTEE ON CREDENTIALS.

We the committee on credentials report the following rules and regulations in regard to the water to be used on the Buffalo flats the ensuing season.

SEC 1. That Tom head No 1 as bought by the Company of Stroup & Sharp. time of using from one oclock A M till one oclock P. M. 12 hours also as bought by the Company of Reid & French time of using from one oclock P. M. till one oclock A. M including day and night and has been represented during the winter and that said companies are entitled to said waters from the time specified

SEC 2 That "thom" head No 2 as has been used and Represented by John Meggers & Co during the winter are entitled to said Tom head of waters time from 6. a m till 6 p m daily

SEC 3. That Tom head No 3. as has been used and represented by Randall & Co during the winter are entitled to said Tom head of waters time of using from 6. a m till 6 p m daily

SEC 4. That any person or company opening a claim for the purpose of working it shall give the Recorder notice of such intentions and after his Tom is in and ready to run shall get it recorded with the No next to the one taken and that he shall be entitled to that Tom head of water for the time specified in Sec. 2 & 3 and so on till all is taken

SEC 5. That any person or company neglecting to get their Tom head of water Recorded at the proper time and another Co. gets their "Tom" to running and records that No. shall be entitled to it with the exception of Tom heads. No. (1. 2. & 3.) which have been represented during the winter.

SEC 6. In the same way and under the same Regulations the waters shall be disposed of during the nights commencing at Tom head No 2

SEC 7. That no person or company running their Tom or sluice during the day shall be allowed to run at nights to the inconvenience of any night companies (Except the companies owning No 1) the time running to be from 6 till 6 alternately

SEC 8. Every Tom or Sluice shall be allowed twelve inches of water and every person or company running a Tom or Sluice shall put in a box 8 inches wide and raise the Gate 1½ inches the box to be fixed in the ditch where the water is taken-out.

SEC 9. The water specified in the above articles includes all the spare water coming from Gold Run and its tributaries and that no company or companies shall be allowed to deprive the miners of Buffalo Flats of said water or part thereof

SEC 10. It shall be the duty of the claim holders on Buffalo Flats to cut a ditch. commencing on or near the claim known as No 22. below discovery on Gold Run thence running on the West side of the Gulch on to Buffalo Flats where it is most convenient to the miners or where the president may locate the same.

SEC 11. The president is hereby authorized to give the miners notice when the said ditch is to be cut by posting three notices in said district and only companies owning Tom heads of water shall do equal portions of the work on said ditch if not they forfeit their right to water

SEC 12. Any person or company raising their gate higher than specified in Sec 8. shall forfeit his or their right of said water if it be duly proven by three disinterested witnesses or more and the said water shall be holden for all costs of said meeting

SEC 13. The president shall be entitled to the sum of Three dollars for calling each and every meeting for to settle disputes.

SEC 14 The secretary shall be entitled to the sum of three dollars for keeping the minutes of the same

SEC 15 Any person or persons giving notice to the president for to call said meeting shall fund the money to the president for all costs.

SEC 16. The proceeding articles in regard to the water will apply only to water below No 30 in Gold Run.

BUFFALO FLATS Apl 21, 1860

W G. REID *Recorder*

BY LAWS AND REGULATIONS OF BUFFALO FLATTS AND ERIE DISTRICT.

OCT the 20th '62

ART 1st The officers of this district shall consist of one President and one Recorder. It shall be the duty of the president to call and preside at all meetings; it also shall be the duty of the President to call all meetings by posting not less than three notices for a space not less than three days

ART 2d It shall be the duty of the Pres to preside at all meetings called for the purpose of transacting the business of this district and to issue all calls for such meetings by posting notices in three different places in the district at least three days before such meeting is to convene

ART 3d It shall be the duty of the Recorder to attend all meetings and keep a true and correct copy of all meetings and business transacted thereat and also to keep a true record of all claims presented to him for registry.

Art 4th The boundary lines of Buffalo Flatts and Erie District shall commence at a certain point on Swan river opposite the Divide between Gold Run and Delaware Gulch; thence up said Divide to the point opposite claim line No. 4 and 5 below discovery in Gold Run; thence due west to the divide between Gold Run and French Gulch; thence down the divide to Blue river thence down Blue river to the mouth of Swan river and up the Swan to the place of beginning

Art 5th Gulch claims shall consist of 100 ft in length and seventy-five feet in width each way from the main channel; side claims shall consist of 100 ft square.

Art 6th Each person shall have the right to preempt one gulch and one side claim; also one patch claim for mining purposes and no more All persons shall be entitled to hold claims by them purchase by complying with these by laws.

Art 7th All claims now owned by persons according to law shall hold good until June 10th 63 at which time all claims must be represented

Art 8th All disputes arising in regard to the ownership of claims shall be adjusted by a miner's meeting and the decision shall be final

Art 9th These laws to take effect immediately after their passage

Art 10th All laws passed heretofore conflicting these laws are hereby declared repealed

Meeting met pursuant to adjournment and adopted the above resolutions.

SUMMIT COUNTY.—McNULTY MINING DISTRICT.

Breckenridge *Oct* 26th 1860

At a meeting held by the miners of Breckenridge Oct 26th 1860 Albert Matthews was elected President and C. A. Holman, Recorder.

Art 1st This district shall be called west McNulty District

Art 2nd The officers of this district shall consist of a president and Recorder who shall hold their offices for the term of one year from this date The President shall preside at all miner's meetings of the miners of this district and act as Magistrate as in all other mining districts

Article 3rd The Recorder shall keep a true record of all proceedings of meetings of miners, trials and arbitrations and record all claims presented to him for record for which he may receive the sum of one dollar and twenty-five cents for each claim so recorded.

Art 4th The claims in this district may be 100 feet square, following the crevice or lode, the centre of the same to be the centre of claims

Article 5th One person may hold one claim by preemption and others by purchase All claims must be recorded and all deeds or transfers to be properly attested and spread on the records of the district

Art 6th The records of the district to be good and sufficient evidence of the ownership of any claim.

Article 7th All trials shall be by a jury of six miners owning a claim or having an interest in one and each juror shall be entitled to $2.50 for services on each suit and the President shall be entitled to $10.00 and the recorder to $8.00

Article 8th No person shall be competent to vote at any meeting of the miners of this district unless he owns a claim or an interest in a claim in the district.

Article 9th The rules of all trials to be the same as in common justice's courts with the right to appeal to the justice court of the Blue River judicial district, costs of suit to follow judgment, unless otherwise awarded by the judge

Article 10th All claims in this district shall hold good for one year until the 26th day of Oct. A. D. 1861.

Article 11th All meetings to be called by giving proper notice by posting and any 10 miners may require the President to order a special meeting, setting forth the objects of the same.

Article 12th These laws shall not be amended or repealed at a meeting called for that purpose, before the 1st of July next unless by a vote of two-thirds of the claim holders of said district.

A. MATTHEWS *Prest.*
Per C. A. HOLMAN
Recorder of McNulty District.

BOULDER COUNTY.—SUGAR LOAF MINING DISTRICT.

Mining Camp, *Oct.* 31, 1860.

In accordance with a call by the President made Oct 20, 1860 the voters of said District met and elected the following officers: President and Recorder also Constable.

The President appointed Capt. H. McHenry and D. E. Cole judges of the election, H Blake clerk.

David Whitner was nominated for President unanamous. H. Blake was elected Recorder without opposition. C. W. Arbuthnot was elected constable by a majority.

The President then appointed a committee of five to revise the Constitution and By Laws where were as follows. Cap. H McHenry A P Westfall, W. I. Smith, Noah Walters, and D. E. Cole. Said committee to report on Nov. 10, 2:00 P. M. 1860

H. BLAKE, *Clerk.*

Nov. 10 1860

Meeting appointed to be held this date to hear the report of the Committee on Constitution and By Laws was called to order by the President, and the said committee reported the following.

CONSTITUTION AND BY LAWS OF SUGAR LOAF MINING DISTRICT, ORGANIZED AND ESTABLISHED NOV. 9, 1860.

Article I.

This District shall be known and designated as follows: North by Gold Hill District, East by the Boulder District, South by the Boulder Creek, West by a line drawn two miles west from the top of Sugar Loaf mountain.

ARTICLE II

The officers of the above said District shall consist of the following: President Vice President, Secretary, Treasurer and Constable.

ARTICLE III.

SEC 1. *Duties of Officers:* It shall be the duty of the President of this district to preside over all the affairs of this district. He shall also fill the office of magistrate of the Miners' Court there in. Also to issue calls for public meetings to be held in the district, and act as chairman of such meetings when held. In case of absence of officers the President shall appoint competent persons to fill the vacancies. It shall be the duty of the President to issue cirtificates of title of ownership to Claims. He shall issue calls for jurymen to try cases by the request of the defendant. He shall also grant an appeal to the district court of Miners of the District which in all cases shall be final on any suit tried before him when either party is not satisfied with his virdict if application is made within six hours after rendering of judgment by the President. He shall also keep a record of all cases tried before him.

SEC 2. *Duties of Vice President.* It shall be the duty of the Vice President to preside and perform the duties of the President in case of sickness or absence of the proper elected president.

SEC 3. *Duties of Secretary.* It shall be the duty of the Secretary to keep a record of Claims, issued by the President, names of the Lead number and direction from the discovery. It shall also be his duty to act as clerk in all public meetings, take minutes and keep a record of the same.

SEC 4. *Duties of Treasurer:* It shall be the duty of the Treasurer to hold all public funds in safty that may be put in the treasury. He shall pay out no money without an order issued by the Secretary and signed by the President.

SEC 5. *Duties of the Constable.* It shall be the duty of the Constable to serve all writs, summons, supenies and warrants issued by the President or magistrate of this District. Also to collect all debts coming under his jurisdiction

ARTICLE IV.

SEC 1. *Fees of Officers:* The President shall be allowed seventy five cents for issuing a supenie; for writ, seventy five cents; the same for summons to answer in civil suits and the same for an appeal. His compensation for all cases tried before him shall be two dollars, not consuming more than four hours. He shall be entitled four dollars a day for his services. For issuing certificate for ownership for Claims he shall be entitled to fifty cents for each certificate. Issuing a notice for miners' meeting shall be done gratis.

SEC. 2. *Compensation of Secretary.* The secretary shall be entitled to one dollar for each record of Certificate or Transfer.

SEC. 3. *Compensation of Constable.* The constable shall be entitled to fifty cents for a summons and supenie, for a warrant and writ, seventy cents; for milage, five cents.

ARTICLE V.

No call shall be issued for a public meeting for less than three days notice made by posting bills in at least three conspicuous places in district.

SEC. 2. Calls for Election of officers shall be made in the above manner with ten days notice prior to the election.

SEC. 3. All writs and summonds issued by the President of this district shall have five days to run before return be demanded there on.

SEC. 4. A defendant in any case may demand a trial by jury, by notifying the President by a written or verbal notice one day previous to his trial.

SEC. 5. The President in all such cases shall issue summons for six disenterested persons who are residents of this vicinity, three of whom the defendant may challenge without giving cause or reason if he so desires The verdict given by the above shall be final unless an appeal be made to a higher court.

SEC. 6. In all cases where it may be necessary to issue an execution there shall be ninety days grace given by the person or persons giving ample security or mortgage upon property sufficient to cover the execution.

ARTICLE VI.

IN REGARD TO CLAIMS.

SEC. 1. Each person coming in to the district shall be entitled to one pre-emption. Claim on each lead, and one claim for each lead he may discover.

SEC. 2. No person shall hold a claim by proxy for another unless he should be connected with a company; if so one of the company may act as agent for any one of his company during his absence and preempt and procure a certificate for the same.

SEC. 3. Each Claim shall consist of one hundred feet in length by fifty wide consisting of twenty five feet each side of his stake.

SEC. 4. All claims shall be decignated by a stake at each end of the claim with a notice there on decignating the locality, size, number, and name of the lead, and the signature of the owner.

SEC. 5. Any person removing or defacing person's stakes without proper authority shall lay himself liable to a fine of twenty dollars.

ARTICLE VII.

IN REGARD TO TUNNELLING.

All persons forming themselves into a Tunnelling company shall be entitled to two hundred feet for each member of the company on a lead used for tunnelling purposes.

SEC. 2. Any person or persons working in a tunnel or shaft in this district shall represent all the claims he may hold in this district. And after running a tunnel one hundred feet or sinking a shaft fifty feet his claims shall become real estate.

ARTICLE VII.

IN REGARD TO WATER CLAIMS.

Any person or Company may take a site for a water mill on any stream in this District a sufficient distance on such stream to secure a fall of thirty feet from the dam to the mill, and hold the same until the first of July 1861, and after this date they or their claims shall be subject to the following conditions

All water claims shall be designated with a stake at each end, of the claim in a conspicious place with the claimants name thereon and the date claiming the same, also a written notice of such claim shall be filed in the Recorder's office but no certificate given said claimant until said claimant shall have put machenery there on. Nor shall such claims be transferrable until a mill shall be in process of erection there on. And if such improvements are not put on such claims within the above stipulated period, such claims shall be forfeited to the district for the use of any person who will improve it.

ARTICLE VIII.

IN REGARD TO RANCH CLAIMS.

No person shall be entitled to hold more than 160 acres of land for the purpose of a ranch unless several persons forming a company: then they are entitled to one quarter section to each member belonging to said company which can be held by the one body.

LAWS OF SUGAR LOAF.

At a meeting of the inhabitants of Sugar Loaf mining district, held at the office of the President of said district on the 26 day of April 1861 for the purpose of amending and revising the laws of said District, David Whitmer was called to the chair and Henry Blake was appointed Secretary.

On motion a committee of three was appointed to examine the laws and report to this meeting such amendments as they deem proper;

Whereupon Adam Whitmer, Henry Blake and David Lees were duly appointed as said committee.

Subsequently—on the 4th day of May 1861, at a miners meeting called by the President of said district, at the house of the President for the purpose of receiving and taking action upon the report of Said committee Whitman was appointed Chairman and H Blake chosen secretary.

The committee appointed at the previous meeting reported the following code of laws which were adopted:

BOUNDARIES.

SEC. 1st This District shall be known and designated as follows: bounded on the North by the Gold Hill Dist. (the dividing ridge between the watters of Gold run and Four mile creek), on the East by the Boulder Dist., on the South by the North Boulder creek, on the West by a line drawn two miles West from the top of Sugar Loaf Mountain.

OFFICERS.

SEC. 2nd There shall be one President, one Sheriff, and one Recorder, who shall be elected annually, on the second Monday of May, by the legal voters of this Dist. and hold their respective offices until their successors are elected and qualified; each of whom shall take an oath faithfully and impartially to perform their respective duties according to law and the best of their ability; and each shall have the power to appoint one or more deputies.

ELECTIONS.

SEC. 3d The recorder and sheriff together with three other electors, shall compose the election board each of whom shall take an oath that they will studiously endeavor to prevent all fraud and deceit in conducting the same. But if the Recorder or Sheriff should be a candidate or fail to attend, the voters present shall fill the vacancy by other voters, two of whom shall be clerks, and the other three Judges of said election. If there should be any vote challenged by any elector, either of the clerks or Judges may administer any oath necessary to determine the right of said voter. Polls are to be opened at 9 o'clock A. M. and closed at 6 o'clock P. M. At the close of the polls, the clerks and Judges shall canvas the votes and the person receiving the highest number of votes cast for the respective offices shall be declared duly elected, and said board shall issue certificates of election to the several officers according to their respective offices.

SEC. 4th Any person who has attained the age of Sixteen years and resided ten days in this District, shall be entitled to a vote at all meetings and elections; at all elections for officers the vote shall be by ballot, and at all meetings as the Pres. may direct.

SHERIFF.

SEC. 5th There shall be elected by the qualified voters of this district a Sheriff who shall hold his office until the next annual election and until his successor is elected and qualified. Whos duty it shall be to serve all proscesses issued by the court; and before entering upon the duties of said office he shall give bond, with good and sufficient security to the acceptance of the court, for the faithful discharge of said duties. He shall be conservator of the peace, and take an oath that he will faithfully and impartially discharge all and singular the duties pertaining to said office.

VACANCIES

SEC. 6th Any officer resigning or removing from the Dist. shall be required to deposit all the books, papers, money, etc. belonging to the Dist. or pertaining to his office, with the remaining officer or officers of the Dist. which officer or officers shall immediately call an election to fill such vacancy.

COURTS

SEC. 7. The Pres. shall be the judge of the miners court of the Dist. and any person having any cause of action shall file with the Pres. the cause of complaint written in plain English Language, and a prayer that the adversed party may be summoned to appear and answer to said complaint, and if the defefendant appears, he shall file his answer in writing as above stated, whereupon the Judge shall summon the defendant to appear at a given time and place mentioned in said summons, which shall exceed ten days from the issue of said summons, and if the defendant fail to appear, the judge may proceed to try the cause and render the Judgement according to law and evidence, and if the parties appear they may submit their cause to the court or three arbitrators, one of whom shall be chosen by the parties respectively, and if the parties or their referees cannot agree upon the third arbitrator the Judge shall appoint the third referee, and when the parties so submit their case to referees, as aforesaid, the decision shall be final, and the Judge shall proceed to enforce, as upon Judgement at law. If either party shall require a jury, the Judge shall write the names of twelve judicious, disinterested, electors of the Dist. and each party may strike from said list, alternately, beginning with the plaintiff one name, until only six remain, and the Judge shall issue his venire for a jury of the aforesaid Six, and when assembled each party shall be entitled to one preemptory challenge and also a challenge for good cause shown by the testimony of the Jurors or other disinterested parties and the Sheriff shall fill the pannel with talesmen for all vacancies that may happen by reason of non attendance or challenging of said Jurors, all juries shall be sworn by the Judge to try all caces according to law and evidence, either party may have an adjournment, not exceeding ten days upon proper cause shown by oath, cost in all caces shall be taxed as the refrees, court, court or jury, trying the same may direct. Either party may

have a right to an appeal from the decision of the court or jury Six, if he give notice of appeal at the rendition of the judgement or verdict and pay all costs within five days of the rendition of the verdict or Judgement and when an appeal is so taken, the Judge shall write the names of twenty-four good, disinterested voters of the Dist, as in the aforesaid jury list, from which each party shall strike therefrom as in the jury of Six until only twelve remain and proceed in all cases the same as in the aforesaid jury of six, and the decision of said jury of twelve shall be final, and the judge shall proceed to final judgement and award execution according to law.

SEC. 8th All legal claims whether in law or equity shall be fairly tried by the referees court or jury as the parties may demand and judgment shall be rendered by the court accordingly, upon which said judgement the party recovering shall be entitled to interest at the rate of ten per cent per annum from the date thereof until paid and the court shall proceed to issue execution thereon for the amount found due with interest and legal costs, but any rate of interest agreed upon writing between the parties shall be lawful.

SEC. 9th The judge of the miners court shall keep a docket of all proceedings laid before hin, shall be allowed two dollars for trying all cases not consuming more than four hours time, he shall be entitled to four dollars per day, Seventy-five cents for issuing a subpœna, writ, or summons, same for an appeal or an execution, for rendering judgment fifty cents, for making up docket twenty cents, for each one hundred words, each transcript duly certified twenty cents per one hundred words. The Pres. shall issue titles of ownership to claims certificates fifty cents. The Judge, Recorder and the Sheriff are hereby empowered to administer all oaths and perform all other duties pertaining to their respective offices and which are required by law.

ELECTIONS AND MEETINGS

SEC. 10th It shall be the duty of the Pres. to give at least ten days notice of the time and place of holding any election of officers of the Dist. naming the officers to be elected and shall call a meeting of the miners upon application, in writing, of twenty-five legal voters of said Dist stating the object for which such meeting is called, and he shall preside at all public meetings and perform all other dutes pertaining to his office.

DEPUTIES

SEC. 11th The president shall have power to deputize any one or more of the miners to serve papers etc that he may deem proper and any person so deputized shall proceed to discharged the duties required of him by law upon the commencement of any suit, the Judge may at his discretion require the plaintiff to deposit money or give security for all costs which may occur.

JUDGEMENTS AND EXECUTIONS.

SEC 12th A judgement shall be a lein upon all property of the defendant from the time of its being rendered and the Judge shall issue execution forthwith upon judgements including interest and costs which shall be made returnable ten days after date thereof, and the Sheriff shall give public notice of the time and place of sale of all property levied upon by him, which shall be by written advertisements posted in three public places in the Dist. at least six day before the sale thereof, and all such property shall be sold to the highest bidder at public outcry to satisfy the execution and accruing costs. But if the said property cannot be sold for want of bidders unless at great sacrifice or if the plaintiff order him so to do, the officer having charge of such sale may adjourn such sale any length of time not exceeding ten days. In all cases of Real estate sold upon execution the defendant shall have the priviledge of paying the principal, interest and costs with ten per cent per annum thereon and said property shall *revert* to said defendant or his legal representatives, the same as if the sale had not been made and the officer selling any real estate as aforesaid, shall not execute a deed to the purchaser thereof until after the expiration of thirty days. Common wearing apparel, bedding and twenty dollars worth of tools shall be exempt from execution.

SEC 13 The judge and re-Probate-corder shall have power to choose a third person and have probate jurisdiction of a deceased person, if said deceased had no relatives or creditors in the Dist they may apply and take out letters of administration to the best advantage to the creditors and heirs of the deceased and the proceeds paid over to the proper persons entitled thereto according to directions of the President

VIGILANCE COMMITTEE

SEC. 14th It shall be the duty of the President to appoint a vigilance committee, consisting of four persons to examine into and report all criminal violations of the laws of this Dist. who shall serve for the period of three months or until discharged by the Pres. and said committee shall receive one half of fines arising from their investigations, the other half to be paid into the Dist. treasury, But the informant shall be liable at all times to all costs that may accrue provided there is no cause of action.

LAWYERS

SEC. 15th No practicing lawyer or any other person having been admitted as such in any State or Territory, shall be permitted to appear in any cause pending in this Dist. as attorney or agent of any person except he himself is a legal party to said suit and if any lawyer should be a legal party to any suit the opposite party may also employ counsel in his case if he chooses so to do, but in all other cases lawyers shall not be admitted.

OUT SIDE DEBTS

SEC 16th No debt or demand of any kind shall be collected by suit in this Dist. which has not originated either in coming to this mining region or since the arrival of such bebtor therein.

DUTIES OF RECORDER

SEC. 17th It shall be the duty of the recorder, to safely keep the books and records of the Dist. and to file and record all proper papers upon payment of his fees and to act as secretary at all public meetings of the Dist. the books of records shall always be open to the inspection of all persons, never to be taken from the possession of the Recorder. All persons shall be entitled to copy any record at any time and the recorder shall deliver over all books to his successor in office, in case of absence, interest, or inability of the president, the said recorder may act in all cases in his stead. He shall be entitled to one dollar for each record of certificate or transfer Deed, mortgage, bill of sale or othe writing necessary to be recorded in all cases fees must be paid in advance. No transfer of any claim of any kind shall be valid unless the fees are paid for all original records heretofore made in regard to said claim.

SEC. 18th All certificates of claims of any kind remaining in the recorders office upon which the fees are not paid on or before the first day of July next shall be advertised to be sold stating the time and place of sale, the number and kind of claim, which shall be sold by said recorder at public sale to the highest bidder after giving ten days notice, and if said claim shall sell for a greater amount than will pay the recorders fees all overplus shall go to the Dist. treasury for the use of the District the purchaser at said sale shall requir a valid title thereof by the recorder certifying on the back of said certificate a transfer by said sale, for which said recorder may receive twenty five cents from the purchaser in addition to the amount paid for said claim.

WRITS OF ATTACHMENT.

SEC. 19th Upon the application of any person holding a legal claim against a non-resident debtor, or any debtor about to abscond or move out of the jurisdiction of the courts or about conveying or concealing his property to the injury of his creditors, or secreting himself within the Dist. so that legal service cannot be had, or fraudulently conveying or concealing his property to defraud his creditors upon filing an affidavit seting forth any of the above facts and the amount and nature of the aforesaid facts and the amount and nature of his claim, and paying or securing the costs as the court directs, the Judge shall issue a writ of attachment to attach all the goods and chattels, lands and tenements, monies, credits and effects of the debtor within the Dist. or as much of the same as will satisfy the Judgment and costs. Notice of the issue of said writ shall be given by the plaintiff, by posting written adqsrtisements in five conspicuous places in said dist. within twenty-four hours after the issue of said writ, stating the time and place where said cause will be tried which shall not be more than ten nor less than six days from the issue of said writ and if the defendant or his legal agent appears he shall have a fair trial, and if he fails to appear the court shall proceed to hear and determine the cause according to law and the equity of the case, and render judgment and award execution as in other cases, and the property attached by the officers shall remain in the possession of said officers until the final termination of the suit, and shall be sold as other property of the same nature, upon the execution issued upon such judgment. But if the defendant is a resident of the Dist. he shall be served with a personal notice.

GARNISHEE

SEC. 20th Garnishee process may issue as part of the original writ, to be served on both defendant and garnishee when the defendant is a resident, or separately as the nature of the case may require; or it may issue after execution may retire unsatisfied; and in either case if the garnishee shall pay the demand over to the defendant, after legal notice, he shall still be held liable to the amount of the plaintiff's Judgment, and costs, if he was indebted to that amount when service was made, and if in a smaller sum the amount he was indebted at the time notice was served.

WRIT OF REPLEVIN

SEC. 21th Any person being in possession of personal property of another, the opposite party file with the Judge of the court an affidavit setting forth the name of the defendant or defendants with a description of the property claimed and that he is justly entitled to the possession thereof and that said property is wrongfully detained by said defendant, and that said defendant or defendants refuse upon demand thereof to give it up, and upon said plaintiff paying or securing costs to the satisfaction of the court, the court shall issue a writ of replevin for said property and and a summons for the defendant or defendants to appear before him at a time and place mentioned in said summons to answer unto said plaintiff for the unlawful detention of said property, and the officer to whom said writ is delivered, shall take possession of the same and notify the defendant or defendants to appear before the court, at the time and place mentioned in said writ to answer unto said plaintiff for the unlawful detention thereof; and if the plaintiff file a bond, with the security to the satisfaction of the defendant or defendants, or the court within twenty-four hours of the service of said writ, said property shall be delivered to the plaintiff and if he fails so to do, the property shall be returned to the defendant or defendants and the plaintiff and his securities shall be liable on their bond for all costs and damages to be assessed forthwith by the courts or jury as the parties may elect; and if it appears, upon the trial of the cause, which may be had as in other civil cases, that the right of possession is in the plaintiff then the court should render judgment against the defendant or defendants for damages and costs according to the award, judgment or verdict, as the case may require and issue execution as in other civil cases.

EJECTMENTS

SEC. 22nd Any person being in possession of real estate claimed by another the claimant may institute his suit of ejectment, which shall be proceeded in as in other civil cases and decided according to law and the equity of the case, and if the claimant sustains his actions the defendant shall be removed, by order of the court, within five days from the trial of the cause, and pay all costs, and in default thereof the Judge shall issue a writt of possession or execution, as the nature of the case may require. If the plaintiff fail to establish his claim he shall be liable to the defendant for all costs and damages, to be determined as in other civil cases.

LIENS

SEC. 23 Any person performing labor or furnishing means or material for any buildings, claims, or other kinds of work, at the request of the owner or agent thereof, shall be entitled to a lien upon the same for the amount of lababor performed or material furnished, provided said lien is filed and recorded within thirty days from the time said labor was performed, or material furnished and all conflicting liens shall have priority according to their respective origins if filed and recorded as aforesaid

SUNDAY

SEC. 24th The officers of this dist shall not be compelled to perform any civil business on Sunday. Sunday shall not be counted against any person staking claims on Saturday.

PUBLIC HIGHWAYS

SEC. 25th There shall be appointed by the Pres. one supervisor, who shall take to his assistance such other assistant as he may need and proceed to lay out and establish all necessary public roads and passways for this dist. which shall be surveyed, marked, measured, and platted, and make returns thereof to the recorder of the dist. forthwith and said recorder shall record the same. All streets running up and down the gulch shall be forty ft. wide and cross streets twenty ft. wide; cross streets to be located on the lines of building lots, taken ten ft. from lots on each side of said cross street. Persons performing service under this section shall be entitled to three dollars per day, for all time necessarily employed in the discharge of their respective duties, said amount to be paid out of the district treatury upon the order of the Pres. out of any money not otherwise appropriated, Said roads or passways are not to interfere with previous improvements or if they do, to pay the damage assessed by the disinterested men to be chosen by the Pres.

SEC. 26th Any person obstructing any public road or passway to the hindrance or inconvenience of the public shall be liable to any fine that may be assessed against him or them by the court or jury together with costs of suit, and, moreover be liable to a like fine for every twenty-four hours the said obstruction shall remain:

TUNNEL CLAIMS.

SEC. 27th All persons forming themselves into tunnel companies shall be entitled to two hundred feet per each person who is a member of the company on a lead used for tunneling purposes.

CROSS TUNNEL CLAIMS.

SEC. 28th If any person shall locate a tunnel claim in this Dist. for the purpose of working the same, he shall first file a specification of the same with the recorder whose duty it shall be to record the same upon the payment of his fees. Said specification shall state the place of commencement and the termination of said tunnel, together with the names of the parties interested in therein, a square stake shall be placed at its mouth, having written thereon the same things hereby made necessary to record, any person or persons engaged in working a tunnel—provided he or they shall comply withe the requirements of this law—shall be entitled to two hundred and fifty feet on each side of the center of said tunnel of all lodes that they are the original discoverers of, and also fifty feet on each side of the center line of said tunnel of all lodes discovered by other persons after the commencement of said tunnel; and said hundred feet last mentioned shall belong to the owner of said tunnel claim, so soon as said tunnel shall be worked to intersect said lode, and such parts of lodes as said tunnels owners are entitled to by this law shall be held as discovery claims. The line of all tunnel claims shall be surveyed and plainly marked or staked from the commencing to the termination thereof prior to the commencement of the work. Tunnels shall have only the right of way across all lodes that may lie in the course of said tunnel that is staked, marked and recorded according to law.

TOWNS AND VILLIAGES.

SEC. 29th Any person or persons laying out a village, town or city in this Dist. shall erect some prominent monument as a starting point and file with the recorder a platt of said village, town or city within fifteen days giving a full description of the starting point, the course and width of streets, size of blocks, and lots and number of each and all other things necessary for the location of said village town or city, and the recorder shall record the same upon the payment of his fees.

CLAIMS.

SEC. 30th Each person comming into this Dist. shall be entitled to one preemption claim on each lead and one claim for each lead he may discover. Each claim shall consist of one hundred feet in length and fifty feet wide consisting of twenty-five feet each side of his stake. Discovery claims shall be marked and staked as such. All claims shall be designated by a stake at each end of the claim with a notice thereon designating the locality number, and name of lead and the signature of the owner. There shall be no timber claims alowed to the brow of the mountain on either side of Four mile creek, said timber to belong to this Dist. No claim shall be valid if taken by or for a person not residing in the vicinity of the Rocky Mountains.

AMENDMENT

Resolved that sec. 30th be amended so as to read that all legal claims shall be held as vested rights. On motion the amend. was adopted, Nov. 25th 1861.

WATER POWER ETC.

SEC. 31th Any person or company may take a site for a mill on any stream in this Dist. a sufficient distance on such stream to secure fall of thirty feet from the dam to the mill, and hold the same until the first of July 1861 and after the above date they or their claimes shall be subjected to the following conditions, all persons holding water claims, shall represent them by the first of July 1861 with a mill and said person or company shall survey or level such stream to obtain the necessary fall. All water claims shall be designated by a stake at each end of the claim in a conspicious place with the claimants name thereon and the date of claiming the same, such claims shall not be transfered until a mill shall be in process of erection thereon and if such improvements are not put on such claim within the above stipulated period such claim shall be forfeited to the Dist. for the use of any person who will improve the same.

TIMBER

SEC. 32nd All timber on quartz claims shall belong to the owners of the claims and where lodes run near each other the timber shall be equally divided between the respective owners, and timber on other claims shall belong to the owners thereof.

WATER COMPANIES

SEC. 33rd When water companies are engaged in bringing water into any portion of the mines, they shall have the right of way secured to them, and may pass over any claim, road or ditch, but shall so guard themselves in passing, as not to injure the party over whos ground they pass.

SHERIFF'S FEES.

SEC. 34th The sheriff shall receive for his services the following fees to wit,

Serving summons, for each person therein named	50	For each mile traveled, computed each way	.12½
Writ of mandamas	1.00	Appraisment of property	1.00
Subpœna, for each person therein named.	.25	Advertising property for sale	1.00
Serving writ of attachment	1.00	Sirving execution	1.00
" " " replevin	1.00	Selling property on execution	1.00
" " " order on notice of court	.50	Making deed for property sold on execution	1.50
Executing order of arrest	1.00	Attending court per day	1.00
Taking each Bond	.50	Bringing up prisoners on writ of habeas corpus, besides actual expences	.75
All copies necessaries to complete the services each hundred words or fraction over	.25	For all sums made by sale on execution or order of sale not exceeding five hundred dollars, 5%.	
Summoning each juror	.50	All fees not enumerated to be in proportion to those enumerated.	
" " talesman	.15		
Serving in criminal cases	1.00		
Attending prisoner before court or jury	1.00	Witness and Jurors fees per day	$2.00

NEW LODES.

SEC. 35th Owners of newly discovered lodes running parallel and within twenty-five feet of a previously discoiered lode, shall be entitled to work the same and occupy one-half of the surface between the two crevices for wast dirt, quartz, etc. Hereafter, no lode shall

be recognized as crossing a gulch, and whosoever shall discover the course and prove up the lode on the opposite side of the gulch, shall have the right of discovery, as the law provides, and shall also have the right to name lode; but lodes staked and claimed across a gulch, or an extension of one already discovered on the opposite side, shall be legal, provided they do not interfeer with lodes or claims already recorded or being discovered.

CROSS LODES

SEC. 36th Owners of cross lodes shall have the right to work their crevice up to the crevice of the previously discovered. crevice, or lode, and one half of the surface for wast dirt, quartz etc.

MURDER

SEC. 37th Any person found guilty of wilful murder shall be hanged by the neck till dead, and then given to his friends if called for, and if not be decently buried; and all other crimes not enumerated in these laws shall be punished as the court or jury of men may direct.

PERJURY OR THEFT

Any person found guilty perjury or theft shall receive not more than twenty-five nor less than ten lashes on the bare back and banished from the Dist. and their property confiscated to pay costs of prosecution and damages.

SALTING CLAIMS ETC.

SEC. 39th Any person found guilty of "salting" as it is termed or putting gold into quartz or gulch claims for the purpose of deceiving, or found guilty of pulling up stakes, or defacing them or in any way destroying notices or landmarks, shall pay a fine of not less than ten nor more than fifty dollars, and in default of payment of said fine, they shall receive not less than ten nor more than twenty-five lashes upon the bare back and be banished from the Dist.

SETTING OUT FIRES

SEC. 40th Any person who shall wilfully, maliciously or through negligence, set out any fire in this Dist. and distroy any timber or other property in this Dist. shall be guilty of a misdemeanor and on conviction thereof, shall be punished as the court or Jury may direct, and be liable to all parties injured thereby.

NUISANCE

SEC. 41th Every act of commission or omission which may affect the public health or convenience, shall be regarded as a nuisance and the person or persons causing the same, shall be liable to a fine of not more than one hundred nor less than five dollars, and remain so liable for every twenty-four hours that the sam may continue, to be determined by the court or jury according to the aggravated nature of the offence, and it shall be the duty of the officers of the Dist. to see that this section of the law is put in force.

SEC. 42nd All gambling houses and houses of ill-fame or prostitution shall be considered as public nuisances and treated as such.

CLEAR CREEK COUNTY.—IOWA MINING DISTRICT.

At a meeting of the miners of Iowa district held at the mouth of Fall River Nov 10th 1860

On motion a committee of three was appointed to draft a code of laws for a miners court and report to this meeting Nov 17th 1860 at 3 o'clock P M

The following gentlemen were appointed such committee John A Mack J. P. Gibson W A Ramsay

At the adjourned meeting held Nov 17th 1860 the committee appointed at the previous meeting reported the following code of laws which were adopted

JOHN A MACK *Chairman*

J B GIBSON *Secretary*

SECTION 1st *Officers of the district and their term of office annual meeting* To enforce the foregoing laws be it enacted by the citizens of Iowa District that there shall be elected a Justice of the peace a constable of the district a president of the district who together with the recorder shall hold their offices until the last Saturday in July unless they shall sooner die resign remove from the district or be removed from their offices for misconduct from any one of the above named causes the office shall be declared vacant and another officer elected to fill vacancy on the last Saturday in July next and annually thereafter there shall be an election held for the purpose of electing officers who before entering upon the duties of their offices shall take an oath well and faithfully to perform the duties thereof according to the best of their ability The Recorder shall act as secretary and Treasurer of the district

SECTION 2d *Duty of President* It shall be the duty of the President to preside at all public meetings of the Citizens of the District when called for purposes relating to public buseness and to preside at the trial of cause in absence of the Justice

SECTION 3 *Duty of Justice* It shall be the duty of the Justice to preside at all causes also at public meetings in absence of the President and perform such other duties as may be required by law

SECTION 4 *Duty of Recorder* It shall be the duty of the recorder safely to keep the books of the district and to record all proper papers upon payment of his fees to act as secretary at all public meetings of the district and to keep all money's paid into his hands by the Justice of the district to be paid over as directed by the citizens at some public meeting legally called or by order of the President

SECTION 5th *Duty of Constable* It shall be the duty of the constable of the district to serve all proper papers placed in his hands and make due returns of the same pay over to the Justice all moneys collected on Judgment post notices for the sale of property attached give certificates of property sold on exicution or otherwise and give a deed at the expiration of the time of redemption

SECTION 6. *Justice & Constable fees* The Justice shall keep a regular docket of all proceedings had before him shall be allowed two dollars and fifty cents for presiding at each trial which shall be paid to the President when he shall preside fifty cents each for making out all proper papers for him to make out and one dollar for entering up Judgment The constable may Charge fifty cents each for writs or papers which he may be required to serve and twenty cents per mile (one way) for all necessary travel in such service two dollars for posting three notices for the sale of property Ten per cent for selling property on all sums of fifty dollars and under seven per cent on all sums over fifty and less than one hundred dollars six per cent on sums over one hundred and less than two hundred and five per cent on all sums over two hundred dollars and one dollar for each adjournment in the sale of property except where it is adjourned by virtue of a writ issued by the Justice or president

SECTION 7 *Witness & Jurors' Fees.* Witnesses shall receive one dollar and fifty cents in each case and twenty cents per mile for all necessary travel in going to trial to be paid in advance if demanded Jurors shall receive two dollars each in each trial and twenty cents per mile for all necessary travel in going to trial

SECTION 8th *Power of Clerk.* The Justice shall have power to appoint a clerk when it shall be necessary and such clerk shall have the usual power of clerks of courts of Record

SECTION 9 *Commencing suit.* If any person shall wish to commence a civil action in this district he shall file with the Justice or his clerk a statement in writing setting forth his ground of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language such statement shall be called a petition and no pleading nor any other written article shall be void on account of form if plain enough to explain the intention of the executor of the article The plaintiff shall file a bond approved by the Justice conditioned to pay all costs that should be taxed against him in case he should fail to recover judgment in said suit or in lieu thereof deposit with the court a sufficient amount of money to cover costs of suit

SECTION 10th *Notice served on Defendant.* When the Plaintiff shall file the papers herein provided the Justice or Clerk shall issue a writ of summons to be served on the defendant to appear and answer to the same at the time and place therein mentioned or Judgment will be taken against the defendant by default If the relief demanded be for a sum of money the amount shall be stated in the summons if for a sum of money and other relief the summons if for a sum of money and other relief the summons shall state in substance what the demand is

SECTION 11 *Pleadings.* The defendant may at any time before the time of trial file his answer or demur upon either of which the plaintiff may join issue and if an answer be filed containing new matter irrevelant to the issue it must be denied or avoided by the plaintiff in his reply and all matter not denied or avoided by one pleading subsequent to another shall be taken as confessed and true

SECTION 12 Repeated, see section 39

SECTION 13 No cause shall be continued unless upon affidavit of a party or his attorney of the absence of a material witness That he has used all due dilligence to obtain said witness whose evidence is material to the issue as he verily believes and that the said party cannot safely proceed to trial without the evidence of said witness which he believes he can procure at some future time which he shall state or from some other good and sufficient cause

SECTION 14 The rules of evidence as administered in courts of the United States shall be observed in this district with the exception that either party may be allowed to testify in open court to any facts which they are unable to prove by any other witness

SECTION 15th Depositions may be used in the district provided the witness is sick or unable to attend the place of trial about to leave the country or is out of the Jurisdiction of the court if to be taken within ten miles of this district notice shall be given to the adverse party of the time and place where said deposition is to be taken if more than ten miles no notice need be given

SECTION 16th The Justice shall have justice as well as law Jurisdiction and may grant writs of replevin in all proper cases and all other motions upon proper causes shown to be supported by affidavits alone and do all such acts as a court of equity has power to do

SECTION 17 If any person shall make his affidavit in writing that he does not believe he can have a fair and impartial before said Justice or if the Justice shall be interested in the event of any suit either as plaintiff or defendant or with either of them in any manner The President of the district shall preside at such trial

SECTION 18 If any person shall enter an appeal from a decision he shall give notice thereof upon the same day that the verdict was rendered either by giving notice in open court or by procuring the same to be entered upon the record of the court and shall perfect his appeal within ten days by paying up all costs already accrued and giving good security for future costs

SECTION 19th *Court of Appeals fees &c.* The court of appeals shall consist of the Justice the President of the district who shall be the presiding Judge and the recorder Said court shall sit at such times and places as the presiding Judge shall direct but every case of appeal shall be set for trial within ten days from the time the appeal was perfected and the decision of such court shall be final if either of such Judges are in any way interested in the event of any suit they shall be disqualified from trying the same and the remaining the remaining Judge or Judges shall with the consent of parties proceed to try said cause and in case they do not consent Said Judge or Judges shall select some competent person or persons to sit with him or them and hear and decide the cause the fees of the judges of the court of appeals shall be nine dollars which shall be equally divided between the judges

SECTION 20 *Liability for Costs* The defeated party in all cases shall be liable for all costs of suit in case the costs cannot be collected against defendant wherein the plaintiff shall Recover Judgment the said plaintiff shall be held responsible for all the costs he shall make in said suit

SECTION 21st The defendant shall have in all cases three days to appear and answer to a complaint from the time notice is served on him except where the complaint is made under oath that the defendant is about to leave the country or putting his property out of his hands to defraud his creditors or the plaintiff verily believes that he can secure the demand then and that by taking the course herein provided it cannot be collected in such a case it shall be the duty of the justice of the peace to issue a notice to the defendant to appear forthwith and a writ of attachment to attach any property that may be found in possession of the defendant the defendant can have in this case the usual time to answer to the charges made against him by securing the debt

SECTION 22d *Jurisdiction of the law of this District* No debt or demand of any nature shall be collected in this district by suit which has not originated in coming to this mining region or since the arrival of such debtor therein

SECTION 23d *Garnishee* Garnishee process may issue as part of the original writ to be served on both defendant and garnishee or separately or it may issue after exicution is returned unsatisfied and in either case if the garnishee shall pay other demand over to the defendant after legal notice he shall still be held liable to the amount of the plaintiffs Judgment and Costs of suit if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

SECTION 24 *Liens by Judgment* All Judgments shall be as a lien upon the property of the Judgment debtor from the day of the term at which such Judgment was rendered

SECTION 25th *Division of Claims.* Any cases for Judgment for partition of Claims between Joint owners three disinterested commissioners shall be appointed by the court who shall effect such partition

SECTION 26 The Justice shall have power to fine for contempt in a sum not to exceed fifty dollars and may issue execution thereon the same as upon a Judgment

SECTION 27th In all cases where the liability of persons in actions founded upon contracts or in mixed actions is not pointed out and defined by the laws of this district the common law shall apply to such liability

SECTION 28th *Exempt from levy and sale upon execution* There shall be exempt from levy and sale upon execution all tools necessary to mine with all clothing cooking utensils and bedding necessary for the debtor & his family One mining Claim of each kind and necessary provisions for three months and if he have a family here a dwelling house and lot not exceeding three hundred dollars in value and such articles as are strictly necessary together with a family bible and other relics if he be a mechanic all tools necessary to carry on his business together with all mechanical works that he may have

SECTION 29th *Sale of property attached* All Property taken on exicution shall be posted in three conspicious places in the district for the ten days next preceeding the sale thereof and the constable shall adjourn the sale thereof at any time when it appears that the property posted cannot be sold unless at a great sacrifice for the want of bidders

SECTION 30th *Money collected on executions* Money collected on execution shall be paid into the hands of the Justice by the constable to satisfy the Judgment in whole or in part,that may be recorded on his books and the Justice shall pay the same to the proper parties or their attorneys

SECTION 31 *Redemption* In all cases of foreclosure of mortgage or lien or sale upon execution upon any claims or property held as real estate in this district the Judgment debtor or any other person having demands against the property shall have a right of redemption by paying three per cent a month on the purchase money The equity of redemption shall not extend beyond sixty days from the time of sale

SECTION 32 *Mechanics lien* Mechanics furnishing labor or any person furnishing materials for repairing or constructing of any building or machinery shall have a lien on the building or machine and on the lot or water power it may be erected on for the amount of this demand to enforce said lien a bill of particulars shall be filed with the recorder within thirty days from this time the labor or material was furnished Notice shall be served on the defendant in writing at the time of record of said lien The defendant may answer demur or acknowledge Judgment at any time within fifteen days after record is made if Judgment is acknowledged an execution may be issued by the Justice and the property sold on execution if the Defendant answers or demurs to the bill he shall have the right of trial as in other cases herein provided if the defendants fails to answer Judgment shall be rendered against him for the whole amount and costs

SECTION 33 In cases where the defendant has left the Territory or keeps himself secreted within the same so that process cannot be served upon him publication by posting three notices in as many conspicious places in said district for ten days shall be deemed sufficient notice The order of publication shall not be granted unless a summons has been returned by a proper officer which return shall show that he has made diligent search and inquiry and cannot learn that the defendant is in the district or that he can not find the defendant and believes he keeps himself secreted to avoid the service of a summons together with other evidence tending to make either of said facts appear

SECTION 34th *Grounds for a new trial* When parties shall apply for a new trial if the Justice thinks injustice has been done and Justice can be done by a new trial he may grant a new trial but in all cases it shall be discretionary with the Justice to grant or reject the aplication

SECTION 35 *Lawful tender* Gold dust at the current rate shall be a legal tender for the payment of all demands in this district

SECTION 36th *Fines* Fines for crimes nuisances and misdemeanors shall be discretionary with the Justice and collected as on other judgments

SECTION 37 *Usury* All rates of interest agreed to be paid by parties in this district shall be legal

SECTION 38 All laws conflicting with these is hereby repealed

SECTION 39 Jurors for our courts shall be selected by putting eighteen names on so many slips of paper in a box and well shaken up and drawn one by one by the constable of the district until he has drawn a sufficient number to fill any jury required the Jury in civil cases may be three or six as the party requesting a Jury may desire the names to be furnished by the court and each party in the suit may have the right to object off three Jurors so chosen said Jurors when chosen shall be summoned in usual form the party calling for a Jury shall be required to pay over to the Court the amount allowed the Jury before said Jury shall be summoned

SECTION 40 Either party to a suit may be entitled to change of venue to a neighboring district but to obtain such change it shall be necessary for the party applying to make affidavit in writing to our court that he or they firmly believe that owing to prejudice and combination against him or that he cannot obtain a fair and impartial trial of his case in our district

GILPIN COUNTY.—WISCONSIN MINING DISTRICT.

MAMMOTH CITY *Dec* 13th 1860

At a meeting held Dec. 13th 1860 for the purpose of receiving the report of the committee previously chosen to revise the laws of this district and to transact such other business as was necessary the President being absent Geo. W. King was chosen President pro. tem.

On motion the following laws as revised were adopted.

BOUNDARY OF WISCONSIN DISTRICT.

Be it enacted that the boundary of Wisconsin district be as follows: commencing on the summit of a bald mountain situated near the head of North Clear Creek and running thence in a Northerly direction along the summit of the snowy range to the divide that runs east and west on the north side of Middle Boulder Creek, Thence east along the summit of said divide to the east end of a prairie being at the junction of Middle and South Boulder creek, Thence South to North Clear Creek—Thence west along the south side of said creek to eastern point of the divide being next south of Secreto gulch thence in a westerly direction following the summit of said divide to the place of beginning

LAWS OF WISCONSIN DISTRICT

ART. 1st *Be it enacted* that the officers of said district shall consist of a President, Recorder Sheriff and Stake-master.

ART. 2d *Be it enacted* that it shall be the duty of the President to preside at all public meetings of the citizens of this dis. when called for purposes relating to public business of the district. To give the casting vote in case of tie; to preside and act as judge of the miners court to be held in this district

ART. 3d *Be it further enacted* that it shall be the duty of the Recorder to keep in a proper book a record of all claims, deeds, mortgages and other papers that shall be filed for record, upon the payment of fees hereinafter provided, and to furnish certificates for the same when required so to do writing upon the back of each certificate deed mortgage or other papers the date when each claim or paper was filed for record. The Recorder shall also be ex officio, Secretary of the district and to act as such at all public meetings of the district keeping the minutes of the same free of charge.

ART. 4th *Be it further enacted* that the sheriff shall have the same power by virtue of his office as under the laws of Kansas.

ART. 5th *Be it further enacted* that it shall be the duty of the Stake master upon payment of fees hereinafter provided to settle all disputes in regard to the boundary of claims when required so to do by either of the disputants measuring and staking off the boundary of said disputed claims.

ART. 6th *Be it further enacted* that the fees of the President shall be five dollars for presiding at each trial and double the fees allowed by the laws of Kansas for making out the necessary papers for him to make.

ART. 7th *Be it further enacted* that the fees of the Recorder shall be fifty cents for the recording of each claim or instrument of writing not exceeding one hundred words and one dollar each for all others..

ART. 8th *Be it further enacted* that the Sheriff may charge double the fees allowed by the laws of Kansas.

ART 9th *Be it further enacted* that the fees of the Stake Master shall be one dollar for measuring and staking each disputed claim and twenty five cents each for all other claims necessary to be measured to ascertain the boundary of said disputed claims

ART 10th *Be it further enacted* that the term claim shall be construed to mean when applied to a lode to be one hundred feet in length of the same and fifty feet wide: when applied to a gulch, one hundred feet in length allowing its meanderings and extending from bank to bank; when applied to Patch diggings one hundred feet square when applied to a tunneling claim two hundred feet each side of the point marked for the center of the tunnel; when applied to a Quartz mill claim two hundred and fifty feet square; when applied to a ditch claim the entire distance staked out which they intend to run the same as shown by the survey or stakes; when applied to water claim the exclusive right to use water for mining or mill purposes upon any stream not exceeding in distance two hundred and fifty feet measured in a straight line and touching the centre of the stream at each end; when applied to a farming or ranch claim one hundred and sixty acres; when applied to a building claim sixty feet front and one hundred feet deep

ART 11th *Be it further enacted* that no person shall hold more than one lode, gulch, patch, or water claim on the same lode, gulch, patch diggings or stream except by purchase or discovery, and no person shall hold more than one building farming or ranch claim except by purchase.

ART. 12th *Be it further enacted* that each discovery claim shall be marked and recorded as such.

ART. 13th *Be it further enacted* that when claims are taken or held in the name of a company, the company shall place on record the firm name and the name of each individual member of said company.

ART. 14th *Be it further enacted* that all deeds, bonds, contracts, bills of sale or instruments of any kind relative to the conveyance of claims and bonds shall be witnessed be at least two disinterested persons and recorded.

ART. 15th *Be it further enacted* that when water companies are engaged in bringing water into any portion of the mines they shall have the right of way secured to them and may pass over any claim road or ditch, provided the water is so guarded as not to interfere with vested rights

ART. 16. *Be it enacted* that any person shall be entitled to one Tunnel claim in the District by location and shall hold good without labor till the 1st day of July 1861, if recorded

ART. 17th. *Be it further enacted* that the said claims shall be plainly marked or staked and location plainly described in the Records of the district

ART. 18. *Be it further enacted* that tunnel claims may be four hundred feet apart and no nearer; that each tunnel claim shall hold two hundred feet each way from the tunnel on all lode claims undiscovered which may be discovered by the person or persons running the tunnel and all above and below; provided that all lodes discovered over the route after said tunnel claim is taken previous to being found by the tunnel company the discoverer shall be entitled to the claim down as deep as fifty feet and one hundred feet the length of the lode and the same by preëmption if within the limits of the tunnel.

ART. 19. *Be it further enacted* that after the 1st day of July 1861 said claims shall be worked regularly once in ten days until they shall have tunnelled in fifty feet after which they shall hold good without labor as real estate.

ART. 20. *Be it further enacted* that art. 19. in regard to work shall be construed to mean at least five days work every ten days

ART. 21. *Be it further enacted* that no company shall hold more than two tunnel claims in the district by location

ART. 22. *Be it further enacted* that any person or persons owning Tunnel Claims shall have the right of way or route of passage through all lodes discovered previous to the location of the tunnel but shall have no portion of the quartz.

ART. 23. *Be it further enacted* that the tunnel Co. shall be compelled to convey the water over the lodes that may be sunk deeper than the tunnel or the right granted to the persons owning the lodes to tunnel to his claim for the purpose of draining

ART. 24. *Be it enacted* that in any district or territory that has been or shall be annexed to this district, all claims in good faith by preëmption-purchase or discovery, shall be valid after such district or territory has been annexed

ART. 25. *Be it further enacted* that no person be entitled to vote on lode Gulch or Water claims respectively unless he own in this district such a claim or claims as said business shall pertain to to wit a lode gulch or water claim.

ART. 26. *Be it enacted* that all motions made at a meeting of the district shall be in writing.

ART. 27. *Be it further enacted* that the president may at any time he deems it necessary call a public meeting of the citizens of the district by giving not less than forty eight hours notice and by posting six notices in as many conspicuous places in the district

ART. 28. *Be it enacted* that parties cutting trees for timber or other purposes shall by cutting or stamping their mark upon the same and having said mark recorded hold said fallen trees as other personal property

ART. 29. *Be it further enacted* that all claims in this district held by preemption purchase or discovery shall be held as real estate except as hereinbefore provided in regard to tunnel claims.

ART. 30. *Be it further enacted* that an annual meeting shall be held for the election of officers on the first Monday of December of each year and the officers elected shall hold their respective offices for one year or until their successors are elected unless they shall die resign remove from the district or be removed from office for mis demennors or neglect of official duty

ART. 31. *Be it further enacted* that in case of temporary absence of any of the officers of the district they shall have the power to appoint a deputy to act in their absence. But if they are absent to exceed thirty days their office may be declared vacant for neglect of duty in manner as hereinafter provided. But in case it is the President who is so absent the Recorder may call a meeting for his trial in a manner as hereinafter provided.

ART. 32 *Be it enacted* that when a petition shall be presented to the President asking for a public meeting of the citizens of the district, signed by ten or more citizens of the district stating the object of said meeting, it shall be the duty of the President to call in manner as hereinbefore provided a meeting agreeable to said notice.

ART. 33. *Be it enacted* that the Stake-master may have the power to appoint two deputies to assist him in his official duties.

ART. 34. *Be it enacted*, that no officer shall be removed from office except by a two thirds vote of the citizens of the district present at a public meeting called as herein before provided, except there be ten days notice given and the notices shall state the name of the officer to be tried and the nature of the charges to be preferred against him.

ART. 35. *Be it further enacted*, that in case of a vacancy of any office the citizens may at any meeting thereafter elect officers to fill said vacancies.

ART. 36. *Be it enacted*, that it shall be the duty of the court of this district to sign all writs issuing out of said court either by himself or his clerk to make all transcripts of judgments required on payment of his fees; to enter judgments and issue executions; and pay over

to the proper parties moneys collected on such judgments and executions; to try all criminals and hold all moneys he may receive for the district for fines and judgments subject to the vote of the majority of the people taken at any meeting where notice for such a vote is given in the call for the meeting; and to perform such other duties as necessarily appertain to his office.

ART. 37. *Be it further enacted* that if the judge of said court shall not be able to attend any trial or shall be disqualified from any cause to try any suit or if there shall be more business than the court can attend to or if any person shall make his affidavit in writing that he does not believe he can have a fair trial before the said judge of said court or if the said court shall be interested in the event of the suit either as plaintiff or defendant or with either of them in any manner then the respective parties shall each of them choose an arbitrator and the arbitrators shall choose a third and the three arbitrators shall sit and hear the case and their decision shall be final as far as the court of this district is concerned.

ART. 38. *Be it further enacted*, that the court of this district shall have equity as well as law jurisdiction and may grant writs of injunctions upon motion in all proper cases and all other motions upon proper cause shown, to be supported by affidavits alone and all such other acts as a court of Equity has power to do.

ART. 39. *Be it further enacted* that the said court shall have power to appoint its own clerk whenever it shall be deemed necessary and the said Clerk shall have such power as a clerk of record has by the laws of Kansas relating to matters that may come before the court in consequence of some process issued therefrom

ART. 40. *Be it enacted* that if any person shall wish to commence a civil action in the court of this district, he shall file with the judge or clerk thereof a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language. Such statement if in equity shall be of the nature of a petition; and if in law of a complaint as the case may be. Upon the filing of either a petition or complaint as aforesaid the court or the clerk thereof shall issue a writ of summons to be served upon the defendant to appear and answer at the time therein named or judgment will be taken by default against the defendant. If the relief demanded be for a sum of money the amount shall be stated in the summons; if for a sum of money and other relief the summons shall state its substance that if the defendant do not appear and answer at the time named therein judgment will be taken against him by default for the sum of money demanded and such other relief as to the court may seem fit. If the remedy applied for shall not be for any sum of money the summons shall ask judgment for the relief demanded in the complaint if at law, or the petition if in Equity.

ART. 41. *Be it further enacted* that the defendant may at any time before the time of trial at law of any cause entered in the Miners Court, file his answer or demurrer upon either of which the plaintiff may join issue and if an answer be filed containing new matter irrelevent to the issue it must be denied or avoided by the plaintiff in his reply and all matters not denied or avoided by one pleading subsequent to another shall be taken as confessed and true.

ART. 42. *Be it further enacted* that all pleadings subsequent to the petition in Equity shall be the same as used in the United States courts of equity and the term of three days shall be granted for the filing of each pleading subsequent to another until an issue is made up.

ART. 43. *Be it further enacted* that all pleas in equity shall be verified and no remedy shall be allowed in equity when the same can be had at law

ART. 44. *Be it further enacted* that in all cases of the foreclosure of mortgages or liens of any kind upon a claim the equity of redemption shall not extend beyond ninety days

ART. 45. *Be it further enacted* that in all cases of judgment for the partition of claims between joint-owners three disinterested commissioners shall be appointed by the court who shall effect such partition

ART. 46. *Be it further enacted* that the rules of evidence as admitted in the court of the court of the United States shall be observed in the Miners court with the exception that either party may file his affidavit in court at any time before the commencement of a trial wherein he may depose to any acts relative to the issue and shall thereafter depose in the same that none of the foregoing facts contained in such affidavit can be proven by any witness whose evidence it is possible to procure either by deposition or the usual process of this court to compel the attendance of witnesses, when the affidavit may be read in evidence. The adverse party may have the right to abut or explain the said facts so set forth by affidavit, or depose to any facts that may legally affect the matters deposed to by his opponent which affidavit may also be read in evidence.

ART. 47. *Be it further enacted* that depositions may be used in this court in evidence provided the witness is sick and unable to attend the place of trial, about to leave the country or is out of the jurisdiction of the court. Notice shall be given to the adverse party of the time and place where the said deposition is to be taken. The opposite party may demand the nature of the evidence expected to be proven by the absent witness and upon its being stated may if he chooses admit such evidence and proceed to trial.

ART. 48. *Be it further enacted* that in all cases of attachments and replevin the practice prescribed by the laws of Kansas shall be observed and when in the case of an attachment the defendant has left the country or keeps himself secreted within the same so that process cannot be served upon him, publication in some public newspaper printed in the country for two weeks shall be deemed sufficient notice. The order of publication shall not be granted by the court unless a summons has been returned by a proper officer which return shall show that he has made diligent search and inquiry and cannot learn that the defendant is in this country or that he cannot find the defendant and believes he keeps himself secreted to avoid the service of a summons together with other evidence tending to make either of said facts appear.

ART. 49. *Be it further enacted* that garnishee process may issue as a part of the original writ to be served on both defendant and garnishee or separately; or it may be issued after execution is returned unsatisfied; and in either case if the garnishee pay the demand over to the defendant after legal notice he shall still be held liable to the amount of plaintiff's judgment and costs if he was indebted to that amount when service was made and if in a smaller sum, the amount he was indebted at the time notice was served.

ART. 50. *Be it further enacted* that all special proceedings in the court of this district shall be conducted according to the forms prescribed in the Statutes of Kansas for the year one thousand, eight hundred and fifty-nine as far as consistent with the laws and local affairs of this district; and all motions relating to such proceedings shall be sustained or approved by affidavits alone

ART. 51. *Be it enacted* that new trials of all causes which have been or may be tried shall be granted upon the same terms, or by the rules of the common law and it shall be discretionary with the court in all cases to grant or reject the application.

ART. 52. *Be it further demanded* that no debt or demand of any nature shall be collected by suit in this court which has not originated either in coming to this mining region or since the arrival of such debtor within the proposed limits of this territory

ART. 53. *Be it enacted* that in all cases where the liability of persons in actions founded upon contract or in mixed actions is not printed out and defined by the laws of this district the common law rules shall apply to such liability.

ART. 54. *Be it further enacted* that in all cases where a civil action is hereafter commenced in the court of this district the plaintiff shall file a bond with one or more good and sufficient sureties conditioned to pay all costs which may be taxed against him in case he should fail to recover judgment in said suit.

ART. 55. *Be it further enacted* that upon the return day of a summons either party may call for a jury which shall consist of twelve men unless a less number may be agreed upon by the respective parties. A party first calling for a jury shall advance the fees for the same at the rate of one dollar and fifty cents for each juror. And all cases tried by a jury shall be final so far as regards the court of this district. When called, each party shall have the right to three peremptory challenges besides challenges for cause.

ART. 56. *Be it further enacted* that in case the costs cannot be collected against the defendant in any cause wherein the plaintiff shall recover judgment the said plaintiff shall be held responsible for all costs he shall make in said suit.

ART. 57. *Be it further enacted* that if any person shall enter an appeal from the judge of the court of this district shall give notice thereof upon the same day the first verdict was rendered either by giving a notice in open court or procuring the same to be entered upon the docket of the court, and shall perfect his appeal within three days by paying up all costs before that time giving security for future costs and advancing the jurors fees; the cause shall then set for trial two weeks from the first trial unless sooner agreed upon by the parties.

ART. 58. *Be it further enacted* that jurors shall try all causes in equity as well as law, and in equity may render special verdicts upon which the court may enter judgment and issue its decree or order.

ART. 59. *Be it enacted* that the defeated party shall be in all cases liable for the costs of suit.

ART. 60. *Be it further enacted* that all executions issuing out of the court of this district shall be made returnable in twenty days from date and the sheriff shall note on each execution the day he received the same and return the said execution within the said twenty days whether satisfied or not with his proper returns endorsed thereon.

ART. 61. *Be it further enacted* that there shall be exempt from levy and sale upon execution all tools for mining, bedding, clothing, cooking utensils and necessary provisions for three months and in case of a man residing with his family a dwelling house not exceeding five hundred dollars in value and such other articles of household furniture as are strictly necessary together with a Bible, family pictures and relicts.

ART. 62. *Be it further enacted* that notices of all property taken in execution shall be posted in three conspicuous places in the district for the five days next preceding the sale thereof and the Sheriff may adjourn the sale at any time when it appears that the property posted cannot be sold unless at a great sacrifice for want of bidders.

ART. 63. *Be it further enacted* that money collected on execution shall be paid into the hands of the court by the Sheriff to satisfy the judgment in whole or in part that may be recorded on his books and the court shall pay the same to the proper parties or their attorneys.

ART. 64. *Be it further enacted* that all laws conflicting with those passed by the citizens of this district at a public meeting held on the 13th of December 1860 are hereby repealed and shall cease to take effect after this date, and the laws passed at the said time herein before specified shall take effect immediately.

Approved Dec. 13th 1860

CLEAR CREEK COUNTY.—GRASS VALLEY MINING DISTRICT.

At a meeting of the citizens of Grass Valley District held on grass Valley Bar on the 7th day of January A D 1861 a committee consisting of W E Sisty A F. Gore and A A Potter were appointed to draft laws for the Government of the same and to report the said laws at a meeting to be held at some future period in accordance with the duties imposed upon them—the committee report the following acts regulating the rights of persons and of property and the manner in which these rights may be preserved and act to provide for and define the future boundaries of grass valley bar District commencing at the North of Soda Creek running up stream to the first Easterly Branch thence up said branch two miles thence eastward to a small stream emptying into Clear Creek at the lower end of grass valley Bar Thence down the East branch of said stream following its meanderings to its mouth Thence up Clear Creek taking in Montgomery hill and Bar to the mouth of Soda Creek its place of beginning

AN ACT Defining Claims and regulating the title thereto

SEC. 1st. *Be it enacted by the citizens of Grass Valley Bar in Convention assembled* that all mining leads of Gold or any other precious or useful metals and all mining and other claims shall be held under and defined by the provisions of this act

SECTION 2. *Be it further enacted* that the term claim as used in this district—shall be construed to mean when applied to a lead one hundred feet running the length of the same and fifty feet in width when applied to a gulch one hundred feet following its meanderings and extending from bank to bank When applied to a patch or placer diggins one hundred feet square when applied to tunneling claims the entire distance intended to run the same for discovery purposes as shown by record and the stakes at the mouth of the tunnel When applied to a quartz mill claim the distance of three hundred feet square when applied to a ditch claim the entire distance staked out which they intend to run the same as shown by the survey and stakes when applied to a water claim the exclusive right to use water for mining purposes upon any ditch or stream not exceeding in distance three hundred feet—When applied to a farming or ranch claim one hundred and sixty acres When applied to a building claim twenty five feet front and one hundred & twenty feet deep

SECTION 3. *Be it further enacted* that all persons shall be entitled to one gulch claim one patch or placer claim one bar claim one lead claim on each and every lead discovered in the district—by preemption

SECTION 4. *Be it further enacted* that no person shall hold more than one building water farming or ranch claim except by purchase

SECTION 5. *Be it further enacted* that each discovery claim shall be marked as such and all purchased claims shall be recorded and in either case they shall be safely held whether worked or not

SECTION 6. *Be it further enacted* that any claim or claims not held either by purchase or discovery if abandoned for ten consecutive days after being staked off shall be forfeited to any person or persons who may take up the same and work them and not abandon them as aforesaid

SECTION 7. *Be it further enacted* that no claims shall be regarded as good and valid unless staked off with the owners name giving the direction length and width and date when the same was made, and when held by a company the name of each member thereof shall conspicuously appear

SECTION 8. *Be it further enacted* that when members of a company consisting of two or more shall work one claim of the company the rest shall be considered as worked by putting a notice of the same on them

SECTION 9. *Be it further enacted* in all cases where parties shall have complied with the law as far as possible priority of claim when honestly carried out shall be respected

SECTION 10. *Be it further enacted* that all contracts of pardnership or agreement whereby an interest in claims or lands are concerned and all contracts relating thereto hereafter made shall be in writing and give the names and interest of each of the parties and when a pardnership the firm name also and the same shall be recorded

SECTION 11. *Be it further enacted* that all deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of claims and bonds shall be witnessed by at least two disinterested parties and recorded.

SECTION 12. *Be it further enacted* that when any miner shall hold both a gulch and a lead claim if one be worked the other may be held without working by recording the same

SECTION 13. *Be it further enacted* that any any person owning a quartz Mill Claim upon which he has a mill or is preparing to place one may claim the right to cut a race or ditch from any stream to bring water to said mill not interfering with vested rights

SECTION 14. *Be it further enacted* that when water is claimed for gulch and quartz mining purposes on the same stream neither shall have the right to more than one-half unless there shall be sufficient for both when priority of claim shall determine

SECTION 15. *Be it further enacted* that if two or more parties wish to use water in the same stream or ravine for quartz mining purposes no person shall be entitled to use more than his proportionate share but in case there shall not be water sufficient for all priority of claim shall determine the right to such water

SECTION 16th. *Be it further enacted* that when water companys are engaged in bringing water into any portion of the mines they shall have the right of way secured to them and may pass over any claim road or ditch provided the water shall be so guarded as not to intefere with any vested rights

SECTION 17. *Be it further enacted* that in other questions not settled by the provisions of this act arising out of the rights of riparian propriaturs shall be decided according to the common law

SECTION 18. *Be it further enacted* that claims of every kind except discovery mining claims must be recorded unless the same are continually worked or used according to law

SECTION 19. *Be it further enacted* that the rules and regulations observed in mining regions within the United States regulating to digging for gold under building lots upon ranch farming and other claims shall be observed in this district

SECTION 20. *Be it further enacted* that if any person shall locate a tunnel in this district for the purpose of discovery he shall first file a specification of the same with the recorder whose duty it shall be to record the same upon payment of his fees the said specification shall state the place of commencement and the termination of the said tunnel together with the names of the parties interested therein a stake shall be placed at its mouth having written thereon the same hereby made necessary to record

SECTION 21. *Be it further enacted* that any person or persons engaged in working a tunnel provided he or they shall comply with the requirements of the law shall be entitled to two hundred and fifty feet on each side of all leads discovered in consequence of the same and such parts of the leads as they are entitled to in consequence of said discovery shall be held as discovery claims provided however they do not interfere with any vested rights and if it shall appear that leads are staked off on the line of said tunnel so that the required number of feet cannot be taken near to the same they may be taken upon any part thereof wherever the same may be found vacant

SECTION 22. *Be it further enacted* that the person or persons working a tunnel shall after the same is legally located draw the priority of right to all leads discovered in the line of the tunnel from the recorded line of its mouth to its terminus and shall have the right of way through all leads which may be in the course of said tunnel is recorded staked out and properly marked

SECTION 23. *Be it further enacted* that one person may stake claims for any number of persons but all persons having claims staked for them shall personally appear at the recorders office within ten days from the date of staking and have their claims recorded and receive their certificates for the same

SECTION 24. *Be it further enacted* that new residents of the Pikes Peak Mining region shall not be entitled to hold claims of any kind in this district not including the claims or property of parties that are visiting or on business to the states or elsewhere

SECTION 25. *Be it further enacted* that all claims shall hold good without work until the 15th day of May 1861 if they are recorded

SECTION 26. *Be it further enacted* that all suits now pending or difficulties now existing in regard to property of any kind within this district shall be adjusted according to the laws heretofore existing unless by consent of both parties

SECTION 27. *Be it further enacted* that any number of persons of five or more may preempt a town site by having it recorded

SECTION 28. *Be it further enacted* that all persons shall be entitled to one building claim provided it shall not interfere with any vested rights

SECTION 29. *Be it further enacted* that no building claim shall be good or valid unless staked and recorded as other claims are required to be

SECTION 30. *Be it further enacted* that the laws relating to timber mutually entered into by and between this district Idaho and Ohio districts are hereby ratified

SECTION 31. *Be it further enacted* by all claims now held legally according to the laws heretofore existing shall hold good and valid

SECTION 32. *Be it further enacted* that all purchase claims discovery lead water privilege for quartz mining mill privilege or building claims shall be held as real estate

AN ACT In relation to the affairs of Grass Valley District—Their duties term of office and fees

SECTION 1. *Be it further enacted by the citizens of Grass Valley in convention assembled* that there shall be elected in this district upon the first Monday in June in each year the following officers who shall each hold their respective offices for the term of one year unless they shall sooner die resign remove from the district or be removed from their office for misconduct by the citizens of this district viz a president a judge of miners court a recorder who shall be exofficio Secretary and treasurer of the district and a constable

SECTION 2d. *Be it further enacted* that it shall be the duty of the President of the District to preside at all public meetings of the citizens of this district when called for purposes relating to public business and to preside at the trial of causes in the miners court when required by law

SECTION 3d. *Be it further enacted* that it shall be the duty of the Judge of miners Court to preside at the trial of causes and at public meetings in the absence of the president and perform such other duties as the law requires

SECTION 4th. *Be it further enacted* that it shall be the duty of the recorder safely to keep the books and records of the district and to record all proper papers upon payment of fees To act as secretary of the District at all public meetings of the district and do keep all moneys paid into his hands by the Judge of the miners court to be paid over as directed by the citizens at some public meeting legally called

SECTION 5th. *Be it further enated* that the sheriff of Arapaho County be ex officio sheriff of the district and shall have the same power he has by virtue of his office under the laws of Kansas

SECTION 6th. *Be it further enacted* that the fees of the recorder shall be fifty cents for each claim and one dollar for all deeds bills of sale &c And such other fees for district business as the citizens shall allow The sheriff may charge the fees as hereinafter provided The Judge of the Miners Court Three dollars for presiding at each trial and double the fees allowed by the laws of Kansas for making out papers proper for him to make

SECTION 7th. *Be it further enacted* that the constable may charge for services as hereinafter provided and shall have Jurisdiction in all sums not exceeding two hundred dollars

SECTION 8th. *Be it further enacted* that any person shall be a voter in this district who owns a claim therein which is recorded

SECTION 9th. *Be it further enacted* that the officers of this district shall continue to hold their offices until the next anual election subjected to the provisions hereinafter named

SECTION 10th. *Be it further enacted* that the Justice of the Miners Court shall be hereinafter known as the Judge thereof

AN ACT Establishing a miners Court and regulating its Jurisdiction

SECTION 1st. *Be it further enacted by the citizens of Grass Valley district in convention assembled* that a regular term of Court shall be held in this district in some convenient and proper place upon the first and third Mondays of each month and all writs to be made returnable at said term shall be sued before the Friday next preceeding if not so served they shall be made returnable at the second term after service Nothing herein contained shall be so construed as to prevent the trial of criminals at any time

SECTION 2d. *Be it further enacted* that the officers of said Court shall consist of a Judge a Clerk sheriff of Arapaho Co and constable

SECTION 3d. *Be it further enacted* that it shall be the duty of said Court to sign all writs issuing out of said Court either by himself or his Clerk to make all transcripts of Judgment required on payment of his fees to enter Judgment and issue executions and pay over to the proper parties moneys collected on such Judgments and executions to try all Criminals and pay over to the Treasurer all moneys he may receive for the district for fines and Judgments and perform such other duties as necessarily appertain to his office

SECTION 4th. *Be it further enacted* that if the Judge of said Court shall not be able to attend any trial or shall be disqualified from any cause to try any suit or if they shall be more business than the court can attend to or if any person shall make his affidavit in writing that he does not believe that he can have a free and impartial trial before the said Judge of said court or if the said court shall be interested in the event of any suit either as plaintiff or defendent or with either of them in any manner the president of the district shall preside in the miners Court at such trial

SECTION 5th. *Be it further enacted* that the Miners Court shall have equity as well as law Jurisdiction and may grant writs of injunction upon motion in all proper cases and all other motions upon proper causes shown to be supported by affidavits alone and do all such other acts as a court of equity has power to do

SECTION 6. *Be it further enacted* that the miners court shall have power to fine for contempt in a sum not exceeding fifty dollars and may issue exicution thereon the same as upon a Judgment

SECTION 7th. *Be it further enacted* that the said Court shall have power to appoint its own clerk whenever it shall be deemed necessary and the said clerk shall have such power as a clerk of record has by the laws of Kansas relating to matters that may come before the court in consequence of some process issued therefrom

SECTION 8th. *Be it further enacted* that the Jury for each term of court shall be drawn upon the Thursday next preceding each term in the following manner The sheriff or his deputy shall place the names of thirty good and suitable men in a box prepared for that purpose and the Judge of the court or the clerk thereof shall draw therefrom the names of eighteen men who shall be summoned to act as jurors for the next succeeding term of court when necessary the Sheriff may summons tailsmen but no person shall serve as Juror for two successive terms of Court

AN ACT In relation to the practice in Miners Court

SECTION 1st *Be it enacted by the Citizens of Grass Valley district in convention assembled*, That if any person shall wish to commence a civil action in the Miners Court of this district he shall file with the Judge or clerk thereof a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language such statement if in equity shall be in the nature of a petition and if the law of a complaint as the case may be upon the filing of either a petition or a complaint as aforesaid the court or the clerk thereof shall issue a writ of summons to be served upon the defendant to appear and answer at the time therein named or Judgment will be taken against the defendant by default if the relief demanded be for a sum of money and other relief the amount shall be stated in the summons if for a sum of money and other relief the summons shall state in substance that if the defendant do not appear and answer at the time therein named Judgment will be taken against him by default for the sum of money demanded and such other relief as to the court may seem best if the remedy applied for shall not be for any sum of money the summons shall ask Judgment for the relief demanded in the complaint if at law or the petition if in equity

SECTION 2d. That the defendant may at any time before the time of trial at law of any cause entered in the miners Court file his answer or demur upon either which the plaintiff may join issue and if an answer be filed containing new matter important to the issue it must be denied or decided by the plaintiff in his reply and all matters not denied or decided by one pleading subsequent to another shall be taken and confessed as true

SECTION 3. That all pleadings subsequent to the petition in equity shall be the laws as used in the United States courts of equity and the term of three days shall be granted for the filing of each pleading subsequent to another until the issue is made up

SECTION 4th. That in all pleas of equity shall he reufeed and no remedy shall be allowed in equity when the same can be had at law

SECTION 5th. That in all cases of the foreclosure of a mortgage or lien of any kind upon a claim the equity of redemption shall not extend beyond thirty days

SECTION 6. That in all cases of Judgment for petition of claim between Joint owners three disinterested persons shall be appointed by the court who shall effect such petition

SECTION 7th. That the rules of evidence as admitted in the courts of the United States shall be observed in the Miners Court with the exception that either party may file his affidavit in court at any time before the commencement of a trial when he may depose to any facts relating to the issue and shall thereafter depose in the same that none of the foregoing facts contained in such affidavit can be proven by any witness whose testimony it is possible to procure either by deposition or the usual process of the court to compel the attendance of witnesses when the affidavit may be read in evidence the adverse party may have the right to rebate or explain said facts so set forth by affidavit or depose to any facts that may legally affect the matters deposed to by his opponent which affidavit may also be read in evidence

SECTION 8. That depositions may be used in this court in evidence provided the witness is sick and unable to attend the place of trial about to leave the country or is out of the Jurisdiction of this Court if to be taken in the County of arapaho Notice shall be given to the adverse party at the time and place where the said deposition is to be taken if out of said County no notice need be given

SECTION 9. *Be it further enacted* that no cause shall be continued unless upon affidavit of a party or his attorney of the absence of a material witness whose evidence is material to the issue as he verily believes and that the said party cannot safely proceed to trial without other evidence of said witness which he believes he can procure at some future time which he shall state or for some other good and sufficient cause

SECTION 10. *Be it further enacted* that in all cases of attachment and replevin the practice proscribed by the laws of Kansas shall be observed and when in the case of attachment the defendant has left the country or keeps himself secreted within the same so that process cannot be served upon him publications in some public newspaper printed in the county shall be deemed sufficient notice the order of publications shall not be granted by the court unless a summons has been returned by a propper officer which return shall show that he has made diligent search and enquiry and cannot learn that the defendant is in this country or that he cannot find the defendant and he believes he keeps himself secreted to avoid the service of a summons together with other evidence tending to make either of the said facts appear

SECTION 11 *Be it further enacted*, that garnishee process may issue as a part of the original writ to be served on both defendant and garnishee or seperately or it may be issued after execution is returned unsatisfied and in either case if the garnishee shall pay the demand over to the defendant after legal notice he he shall still be held liable to the amount of plaintiffs Judgment and costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

SECTION 12 *Be it further enacted* that all special proceedings in the miners court shall be conducted according to the forms prescribed in the statutes of Kansas for the year one thousand eight hundred and fifty nine as far as consistent with the laws and local affairs of this district and all motions relating to such proceedings shall be sustained or approved by affidavits alone

SECTION 13 *Be it further enacted* that new trials of all causes which have been or may be tried shall be granted upon the same terms or by the rules of the Common law and it shall be discrecinary with the Court in all cases to grant or reject the application

SECTION 14 *Be it further enacted* that no debt or demand of any nature shall be collected by suit in this court which has not originated either in coming to this mining region or since the arrival of such debtor within the proposed limits of Jefferson Territory

SECTION 15 *Be it further enacted* that in all cases where the liability of persons in actions founded upon contracts or in mixed actions is not pointed out and defined by the laws of this district The common law rule shall apply as to such liability

AN ACT Relating to trial and its incidents

SECTION 1st *Be it further enacted by the citizens of Grass Valley District in convention assembled* that in all cases where a civil action is hereafter commenced in the mining court the plaintiff shall file a bond with one or more good and sufficient surities conditioned to pay all costs which may be taxed against him in case he should fail to receive Judgment in said suit

SECTION 2d *Be it further enacted* that in case the costs cannot be collected against the defendant in any cause wherein the plaintiff shall receive Judgment the said plaintiff shall be held responsible for all costs he shall make in said suit

SECTION 3d *Be it further enacted* that upon the return day of a summons if either party shall call for a Jury he shall first advance the fees at the rate of one dollar and fifty cents for each Juror who shall try the cause and in case he shall prevail in the same the fees so advanced shall be taxed against the adverse party but in case no Jury is called for the cause shall be tried by the Court

SECTION 4 *Be it further enacted* that when a Jury is called for the court or clerk shall call nine persons from the Jurors summoned and each party shall strike of three until but three remains who shall proceed to try and determine said cause

SECTION 5th *Be it further enacted* that if any person shall enter an appeal from the Jury of three he shall give notice thereof upon the same day that the first verdict was rendered either by giving a notice in open court or Recording the same to be entered upon the docket of the court and shall perfect his appeal within three days by paying up all costs before that time and giveing security for future costs and advancing the Jurors fees the cause shall then be set for the next regular term for trial unless sooner agreed upon by the parties

SECTION 6th *Be it further enacted* that Jurors shall try all causes in equity as well as law and in equity may render special verdicts upon which the court may render Judgment and issue its decree in order

SECTION 7 *Be it further enacted* that a Juror may be challenged for favor for cause shown by his own evidence or that of others and each party shall have the right to three peremptory challenges

SECTION 8th *Be it further enacted* that the said appeal shall be decided by a Jury of twelve men and from the decision of said Jury there shall be no appeal

SECTION 10 *Be it further enacted* that all exicutions issuing out of the miners court shall be made returnable in ten days from date and the sheriff or constable shall note on each exicution the day he received the same and return the said exicution within the said ten days whether satisfied or not with his proper return thereon endorsed

AN ACT In relation to levy and sale upon execution

SECTION 1st *Be it further enacted by the Citizens of Grass Valley District in convention assembled* That there shall be exempt from levy and sale upon exicution all tools for mining bedding clothing cooking utensils and all necessary provisions for three months and in case of a man residing with his family a dwelling house not exceeding Five hundred dollars in value and such articles of household furniture as are strictly necessary together with a bible family pictures and relics

SECTION 2 *Be it further enacted* that all property taken in exicution shall be posted in three conspicious places in the district for the five days next preceeding the sale thereof and the sheriff may adjourn the said sale at any time when it appears that the property posted cannot be sold unless at a great sacrifice for want of bidders

SECTION 3 *Be it further enacted* that money collected in exicution shall be paid into the hands of the court by the sheriff to satisfy the Judgment in whole or in part that may be recorded in his books and the court shall pay the same to the proper parties or their attorneys

AN ACT Relating to crimes and nuisances committed in Grass Valley District

SECTION 1 *Be it further enacted by the Citizens of Grass Valley District in convention assembled*, that all crimes committed in this district shall be punished as a Jury of twelve men shall direct

SECTION 2d *Be it further enacted* that any person who shall cause any nuisance affecting the health of the people of this district may be sued for the same in the miners court in the name of Grass Valley District v. s. the defendant and shall be liable to pay damages in a sum not exceeding One hundred Dollars and costs of suit for the use of said District

SECTION 3 *Be it further enacted* that if any person shall obstruct any highway or make any pit or hole and leave it open so as to endanger life or limb upon any usually traveled road or trail such person may be sued as aforesaid for committing a nuisance and be liable to said district in damages as provided in section two with costs of suit

SECTION 4 *Be it further enacted* That every other act of commission or omission which may affect the public health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable accordingly

SECTION 5th *Be it further enacted* that after any conviction for a nuisance in said miners court if the said nuisance is allowed to remain for twenty four hours thereafter the person or persons who caused the same and whose duty it should have been to remove it shall be again liable in damages and shall also be liable for each Twenty four hours after a conviction as been before provided in this act

SECTION 6 *Be it further enacted* that exicutions shall issue in all cases under the provisions of this act in the name of the district the same as in any other suit at law

AN ACT Containing General provisions for the government of Grass Valley District.

SECTION 1 *Be it enacted by the Citizens of Grass Valley District in convention assembled* That the Judge of the miners Court shall pay over each week to the treasurer of the district all moneys he may collect from Judgments in favor of the district contempts of court and fines of every kind and the and the treasurer shall not pay the same unto any person unless unless upon vote of the miners given at some meeting legally called

SECTION 2. *Be it further enacted* That the President or the Judge of the miners court may call a public meeting at any time either of them may deem the same necessary by giving forty eight hours notice and by putting three notices in as many conspicuous places in the district.

AN ACT Establishing fees of sheriff and constable

SECTION 1 *Be it enacted by the Citizens of Grass Valley Bar in convention assembled* that the sheriff may charge for serving every required writ for each defendant Taking and returning every bond 125 serving injunction 1.25 levying executions 125 calling action 25 writing sheriff deed when required 2.00 calling each party or witness 25c mileage 40 summoning each witness 25 Returning nonest in any writ 50 summoning Jury on special verdic 200 calling Jury each 25 Returning nonest on subpœna 25 summoning a Jury of inquest to try right of property and drawing and returning a report 3^{00} for commissions for receiving and paying over money on execution when property has been sold 7 per. ct. on the first 300^{00} 4 per cent on the next 300^{00} 3 per cent on all sums above 600^{00} and one half such compensation when the money is paid without levy and ¼ of such comission when levy has been made but no sale and such commission shall be paid as other costs and shall be allowed for safe keeping supporting live stock and other property seized under legal process such fees as the court shall deem reasonable as other costs

SECTION 2 *Be it further enacted*, that the constable shall be allowed to charge ¼ the fees of the sheriff

SECTION 3 *Be it further enacted* That all persons owning building claims shall own all trees and any thing else that may be materially situated thereon

SECTION 4. *Be it further enacted* that if any person or persons do in any way injure fill up or brake any ditch or race they can be held responseble to the owners to the full amount of damages occurring from the same the same to be collected as any other debt

SECTION 5 *Be it further enacted* that all persons owning tunnel claims and doing work there on to the amount of one hundred dollars shall be entitled to hold the said claim as real estate

SECTION 6 *Be it further enacted* that these laws nor any part thereof shall be repealed unless at a public meeting legally called stating the object thereof and giving ten days notice

SECTION 7 *Be it further enacted* that all laws heretofore exhisting in this District are hereby repealed and this code to take affect from the date of their adoption.

Approved Jany 16th 1861

W E SISTY
A A POTTER
A F GORE
Committee

Recorded Jany 20th 1861.

W JACKSON *Recorder*

BY LAWS

GRASS VALLEY DISTRICT *Jany* 16th 1861

At a meeting of the miners of Grass Valley district held this evening J. H. Bachelder was appointed Chairman and C M Lewis secretary

The committee consisting of W E Sisty A F Gore & A A Potter appointed at a meeting of miners held on Jany 7th 1861 reported as a code of laws for the future government of the miners which on motion were taken up by section and adopted.

Motion *Resolved* that the recorder of the district transcribe the laws as adopted and that the citizens of the district pay to the recorder the sum of five dollars for the same

Motion That the thanks of the district be given to the committee for their services for drawing up the code of laws

On motion adjourned

C M LEWIS *Secretary*

GILPIN COUNTY—INDEPENDENT MINING DISTRICT

LAWS.

At a meeting of Independent District held at the office of the president of said District on the 15th day of January A. D 1861 for the purpose of amending and revising the laws of said District Dr H. Waren was called to the chair and Wm B. Osborn was appointed Secretary

On motion a committee of five was appointed to examine the laws and report to this meeting such amendments as they deem proper.

Whereupon Dr H. Waren Wm B. Osborn Isaac Miller J. W. Hull and David Ripley were duly appointed said Committee

Subsequently on the 15th day of February A. D. 1861 at a miners meeting called by the president of said District at the house of G. J. Jones esq for the purpose of receiving and and taking action upon the Report of said Committee, David Ripley was appointed chairman and Wm B. Osborn chosen secretary and com- appointed at the previous meeting reported the following code of laws which were adopted:

BOUNDARIES

SECTION 1 Commencing at the foot of Bald mountion on the east and running north to Gamble Gulch thence west to Moon Gulch thence following the meanderings of said Gulch to its head thence south to the Divide between Boulder and Clear Creek thence along said divide in an easterly direction to the east line of Independent District Running North and South thence north to the place of beginning

OFFICERS

SECTION 2 There shall be one President one Sheriff and one Recorder who shall be elected annually on the second Tuesday of September by the legal voters of the District and hold their respective offices until their successors are elected and qualified each of whom shall take an oath faithfully and impartially to perform their respective duties according to law and to the best of their ability and each shall have power to appoint one or more deputies

ELECTIONS

SECTION 3 The Recorder and Sheriff together with three other electors shall compose the Election Board each of whom shall take an oath that they will studiously endeavor to prevent all fraud and deceit in conducting the same. But if the Recorder or Sheriff shall be a candidate or fail to attend the voters present shall fill their vacancies with other voters two of whom whall be clerks and the other three judges of said election If there should be any vote challenged by any elector either of the clerks or judges may administer any oath necessary to determine the right of said voter. Polls are to be opened at nine oclock a. m and closed at six oclock p. m. At the close of the polls the clerks and judges shall canvass the votes and the persons receiving the highest number of votes for the respective offices shall be declared duly elected and said board shall issue certificates of election to the several officers according to their respective offices

SECTION 4 Any white person who has attained the age of sixteen years and resided ten days in the District shall be entitled to a vote at all meetings and elections. At all elections for officers the vote shall be by ballot and at all meetings as the President shall direct.

SHERIFF

SECTION 5 There shall be elected by the qualified voters of this District a Sheriff who shall hold his office until the next annual election and until his successor is elected and qualified whose duty it shall be to serve all processes issued by the Court and before entering upon the duties of said office he shall give bond with good and sufficient security to the acceptance of the Court for the faithfal discharge of his duties. He shall be conservator of the peace and take an oath that he will faithfully and impartially discharge all and singular the duties pertaining to his office

VACANCIES

SECTION 6 Any officer resiging or removing from the District shall be required to deposit all the books papers money &c belonging to the District. whith or pertaining to his office with the remaining officer or officers of the District which officer or officers shall immediately call an election to fill such vacancy

COURTS

SECTION 7 The President shall be judge of the Miners Court of the District and any person having any cause of action shall file with the President the cause of complaint written in plain English language and a prayer that the Defendant may be summoned to appear and answer to said complaint whereupon the Judge shall summon the defendant to appear at a given time and place mentioned in said Summons which shall not exceed ten days from the issue of said Summons. And if the Defendant fails to appear the judge may proceed to try the cause and render judgment according to law and evidence and if the parties appear they may submit their cause to the Court or three arbitrators one of whom shall be chosen by the parties respectively and if the parties cannot agree upon the third arbitrator the Judge shall appoint the third arbitrator and when the parties so submit their case to referees as aforesaid the decision or award shall be final and the Judge shall proceed to enforce said award as upon a judgment at law. If either party shall require a jury the Judge shall write the names of twelve judicious disinterested electors of the District and each party may strike from the list alternately beginning with the plaintiff one name until only six remain and the Judge shall issue his venire for a Jury of the aforesaid six and when assembled each party shall be entitled to one peremptory challenge and also a challenge for good cause shown by the testimony of the jurors or other disinterested person and the Sheriff shall fill the panel with talesmen for all vacancies that may happen by reason of non attendance or challenging of Jurors. All juries shall be sworn by the judge to try all causes according to law and evidence. Either party may have and adjournment not exceeding ten days upon proper cause shown under oath. Costs in all cases shall be taxed as the Court referees or Jury trying the same may direct. Either party may have the right to an appeal from the decision of the Court or jury of six if he give notice of appeal at the rendition of the judgment or verdict and pay all costs within five day from the rendition of the judgment or verdict. And when an appeal is so taken the judge shall write the names of twenty four good disinterested voters of the District as in the aforesaid jury list from which each party shall strike therefrom as in the jury of six until only twelve remain and proceed in all respects the same as in the aforesaid jury of six and the decision of the said jury of twelve shall be final and the judge shall proceed to final Judgment and award execution according to law

SECTION 8 All legal claims whether in law or equity shall be fairly tried by the referees Court or jury as the parties may elect and judgment shall be rendered by the Court accordingly upon which said judgment the party recovering shall be entitled to interest at the rate of ten per cent per annum from the date thereof, until paid and the Court shall proceed to issue execution thereon for the amount found due with interest and legal costs but any rate of interest agreed upon in writing between the parties shall be lawful

SECTION 9 The Judge of the Miners Court shall keep a docket of all proceedings had before him and shall be allowed two dollars and fifty cents per day for presiding at each trial (and when the Recorder shall preside in his stead he shall be allowed a like sum) shall be allowed twenty cents per hundred words for making out all necessary papers except writs of original service and executions for each of which he shall be allowed fifty cents for rendering Judgments fifty cents and making up docket twenty cents per hundred words for each transcript duly certified twenty cents for each hundred words. The Judge Recorder and Sheriff are hereby empowered to administer all oaths and perform all duties pertaining to their respective offices and which are required by law

NOTICE OF ELECTIONS & MEETINGS

SECTION 10 It shall be the duty of the President to give at least ten days notice of the time and place of holding any election of officer of the District naming the officers to be elected and shall call a meeting of the miners upon application in writing of twenty five legal voters of said District stating the object for which said meeting is called and he shall preside at all public meetings. and perform all other duties pertaining to his said office

DEPUTIES

SECTION 11 The President shall have power to deputize any one or more of the miners to serve papers &c that he may deem proper and any person so deputized shall proceed to discharge the duties required of him by law. Upon the commencement of any suit the Judge may at his discretion require the Plaintiff to deposit money or give security for all costs that may accrue

JUDGMENT & EXECUTION

SECTION 12 A Judgment shall be a lien upon all property of the Defendant from the time of its being rendered and the Judge shall issue executions upon judgments forthwith including interest and costs which shall be made returnable ten days after the date thereof and the Sheriff shall give public notice of the time and place of the sale of all property levied upon by him which shall be by written advertisements posted in three public places in the District at least six days before the sale thereof and all such property shall be sold to the highest bidder at public outcry to satisfy the execution and accruing costs But if the said property cannot be sold for want of bidders unless at great sacrifice or if the Plaintiff order him so to do the officer having charge of the sale may adjourn said sale any length of time not exceeding ten days. In all cases of real estate sold on execution the Defendant shall have the privilege of paying the principal interest and costs with ten per cent interest per annum thereon and said property shall revert to said Defendant or his legal representatives the same as if such sale had not been made and the officer selling any real estate as aforesaid shall not execute a deed to the purchaser thereof until after the expiration of thirty days Common wearing apparel bedding and twenty dollars worth of tools shall be exempt from execution

PROBATE

SECTION 13 The Judge and Recorder shall have power to choose a third person and have probate jurisdiction of a deceased person but if the deceased has relatives or creditors in the District they may apply and take out letters of administration by complying with such rules as the President may adopt, and property shall be disposed of by the Court or administrator to the best advantage to the creditors and heirs of the deceased and the proceeds paid over to the proper persons entitled thereto according to the directions of the President

VIGILANCE COMMITTEE

SECTION 14 It shall be the duty of the President to appoint a Vigilance Committee consisting of four persons to enquire into and report all criminal violations of the laws of this District who shall serve for the period of three months or until displaced by the President and said committee shall receive one half of fines arising from their investigations the other half to be paid into the District treasury. But the informant shall be liable at all times to all costs that may accrue provided there is no cause of action

LAWYERS

SECTION 15 No practicing lawyer or any other person having been admitted as such in any State or Territory shall be permitted to appear in any cause pending in this District as agent or attorney of any person except he himself be a legal party to said suit and if a lawyer should be a legal party to any suit the opposite may also employ counsel in his case if he chooses so to do but in all other cases lawyers shall not be admitted

OUTSIDE DEBTS

SECTION 16 No debt or demand shall be collected by suit in this District which has not originated either in coming to this mining region or since the arrival of such debtor therein

DUTIES OF RECORDER &C

SECTION 17 It shall be the duty of the recorder to safely keep the books and records of the District and to file and record all proper papers upon payment of his fees and to act as Secretary at all public meetings of the District. The books of records shall always be open to the inspection of all persons never to be taken from the possession of the Recorder. All persons shall be entitled to copy any record at any time and the Recorder shall deliver over all books and records to his successor in office. In case of absence interest or inability of the President the said Recorder may act in all cases in his stead. He shall be entitled to fifty cents for each deed mortgage bill of sale or other writing necessary to be recorded containing one hundred and fifty or a less number of words and for every hundred words or fraction thereof in addition twenty-five cents In all cases fees must be paid in advance Each deed bill of sale or mortgage shall be witnessed by two witnesses. No transfer of any claim of any kind shall be valid unless the fees are paid for all original records heretofore made in regard to said claim

SECTION 18 All certificates of claims of any description remaining in the Recorders office upon which the fees are not paid on or before the first day of July next shall be advertised to be sold stating the time and place of sale the number and kind of claim which shall be sold by said Recorder at public sale to the highest bidder after giving ten days notice and if said claim shall sell for a greater amount than will pay the Recorders fees all overplus shall go into the District treasury for the use of the District. The purchaser at such sale shall acquire a valid title therefor by the Recorder certifying on the back of said certificate of transfer by said sale for which the Recorder may receive twenty-five cents from the purchaser in addition to the Amount bid for said claim

WRITS OF ATTACHMENT

SECTION 19 Upon the application of any person holding a legal claim against a non resident debtor about to abscond, or move out of the jurisdiction of the Courts or about conveying or concealing his property to the injury of his creditors or secreting himself within the District so that legal service cannot be had or fraudulently conveying or concealing his property to defraud his creditors upon filing an affidavit setting forth any of the aforesaid facts and the nature and amount of his claim and paying securing the costs as the Court Directs the Judge shall issue a writ of attachment to attach all the goods and chattels lands and tenements moneys credits and effects of the Debtor within the district. Notice of the issue of said writ shall be given by the Plaintiff by posting up written advertisements in five conspicuous places in the District within twenty-four hours after the issue of said writ stating the time and place where said cause shall be tried which shall not be less than six nor more than ten days from the issue of said writ and if the Defendant or his legal agent appears

he shall have a fair trial and if he fails to appear the Court shall proceed to hear and determine the cause according to law and the equity of the case and render judgment and award execution as in other cases and the property attached by the officer shall remain in possession of said officer until the final termination of said suit and be sold as other property of the same nature upon the execution issued upon said Judgment. But if the Defendant is a resident of the District he shall be served with a personal notice

GARNISHEE

SECTION 20 Garnishee process may issue as part of the original writ to be served on both Defendant and garnishee where the Defendant is a resident or separately as the nature of the case may require or it may issue after execution is returned unsatisfied and in either case if the garnishee shall pay the demand over to the Defendant after legal notice he shall still be held liable to the amount of the Plaintiffs judgment and costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

WRIT OF REPLEVIN

SECTION 21 Any person being in possession of personal property of another the opposite party may file with the Judge of the Court an affidavit setting forth the name of the Defendant or Defendants with a description of the property claimed and that he is justly entitled to the possession thereof and that said property is wrongfully detained by said Defendant or Defendants and that said Defendant or Defendants refuse upon demand thereof to give it up and upon said Plaintiff paying or securing costs to the satisfaction of the Court the Court shall issue a writ of replevin for said property and a summons for the Defendant or Defendants to appear before him at a time and place in said summons mentioned to answer unto said Plaintiff for the unlawful detention of said property and the officer to whom said writ is delivered shall take possession of the same and notify the Defendant or Defendants to appear before the Court at the time and place mentioned in the writ to answer unto said Plaintiff for the unlawful detention thereof and if the Plaintiff file a bond with security to the satisfaction of the Defendant or Defendants or the Court within twenty-four hours from the service of said writ said property shall be delivered to the Plaintiff and if he fails so to do the property shall be returned to the Defendant or Defendants and the Plaintiff and his security shall be liable on their bond for all costs and damages to be assessed forthwith by the Court or jury as the parties may elect and if it apper upon the trial of the cause which may be had as in other civil cases that the right of possession is in the Plaintiffs then the Court shall render judgment against the Defendant or Defendants for damages and costs according to the award judgment or verdict as the case may require and issue execution as in other civil cases

EJECTMENT

SECTION 22 Any person being in possession of real estate claimed by another the claimant may institute his suit of ejectment which shall be proceeded in as in other civil cases and decided according to law and the equity of the case, and if the claimant sustain his case the Defendant shall be removed by order of Court within five days from the trial and pay all costs and default thereof the Judge shall issue a writ of possession or execution as the nature of the case may require If the Plaintiff fail to establish his claim he shall be liable to the Defendant for all costs and damages to be determined as in other civil cases

LIENS

SECTION 23 Any person performing labor or furnishing material for any buildings, claim or other kind of work at the request of the owner or agent thereof shall be entitled to a lien thereon for the amount of such labor performed or material furnished provided said lien is filed & recorded within thirty days from the time such labor was performed or material furnished—and all conflicting liens shall have priority according to their respective origins if filed and recorded as aforesaid

SUNDAY

SECTION 24 The officers of this District shall not be compelled to perform any civil business on Sunday. Sunday shall not be counted against any person staking a claim on Saturday

PUBLIC HIGHWAYS

SECTION 25 There shall be appointed by the President three road commissioners one of whom shall be a practical surveyor who shall take to their assistance such other assistance as they may need and proceed to lay out and establish all necessary public roads and passways for this District which shall be surveyed marked measured and platted and make returns to the Recorder of the District forthwith and said Recorder shall record the same All streets running up and down the gulch shall be forty feet wide and cross streets twenty feet wide cross streets to be located on the lines of building lots taking ten feet from lots on each side of said cross streets. Persons performing service under this section shall be entitled to two dollars and fifty cents per day for all time necessary employed in the discharge of their respective duties said amount to be paid out of the District treasury upon the order of the president not otherwise appropriated. Said roads or passways are not to interfere with previous improvement or if they do to pay the damage to be assessed by three disinterested men to be chosen by the President

SECTION 26 Any person obstructing any public road or passway to the hindrance or inconvenience of the public shall be liable to any fine that may be assessed against him or them by the Court or Jury together with costs of suit and moreover be liable to a like fine for every twenty four hours that said obstruction remains

TUNNEL CLAIMS

SECTION 27 If any person shall locate a tunnel claim in this District for the purpose of working the same he shall first file a specification of the same with the Recorder whose duty it shall be to record the same upon the payment of his fees. Said specification shall state the place of commencement and termination of said tunnel together with the names of the parties interest therein. A square stake shall be placed at its mouth having written thereon the things hereby made necessary to record. Any person or persons working a tunnel provided he or they shall comply with the requirements of this law shall be entitled to two hundred and fifty feet on each side of the center of said tunnel on all lodes that they are the original discoverers of and also fifty feet on each side of the centre of said tunnel on all lodes discovered by other persons after the commencement of said tunnel and said hundred feet last mentioned shall belong to the owners of said tunnel claim so soon as said tunnel shall be worked to intersect said lode and such parts of lodes as said tunnel owners are entitled to by this law shall be held as discovery claims the line of all tunnel claims surveyed and planly marked or staked from the commencement to the termination thereof prior to the commencement of the work of any person or persons locating a tunnel claim shall fail to work the same for fifty consecutive days after the first day of July next they shall forfeit their claims to said tunnel but not to the claims they have discovered and held by virtue of discovery before the time of said forfeiture. Tunnel claims shall have only the right of way across all lodes that may lie in the course of said tunnel that is staked marked and recorded according to law

TOWNS & VILLAGES

SECTION 28 Any person or persons laying out a town village or city in this District shall erect some prominent monument as a starting point and file with the Recorder a plat of said village town or city within fifteen days giving a full description of the starting point the courses and width of streets size of block and lots and number of each and other things necessary for the location of said village town or city and the Recorder shall record the same upon payment of his fees .

CLAIMS

SECTION 29 All claims on lodes by discovery shall be two hundred and fifty feet by fifty wide a preemption claim one hundred feet by fifty wide All cross lodes within said District shall be the property of the lode owners Measurement in all cases shall be horizontal. Gulch claims shall be one hundred feet up or down the gulch extending from bank to bank Patch claims shall be one hundred feet square Discovery claims shall be staked and marked such All legal claims shall be held as vested rights Any person shall be entitled to hold one mill site one water power claim one gulch claim one patch claim one building lot and one village town or city lot one lode claim on each lode and one tunnel claim by pre emption All claims shall be staked in presence of a witness except village town or city lots which may be taken by numbers and the name of the claimant and kind of claim with the date of staking &c plainly marked on the stake and filed with the Recorder within twenty four hours from the time of staking and recorded within fifteen days. Filing of all claims shall be free There shall be no timber claims allowed No claims shall be valid if taken by a person not residing in the vicinity of the Rocky Mountains

SECTION 30 No lode shall be recorded unless the lode or crevice is exposed by actual work and gold discovered by washing or otherwise. The discoverer may have sixty days to open and prove the lode and file for record and no lode claim shall be valid as a preemtion until the discovery claim is filed and a name given to said lode

WATER POWER &C

SECTION 31 All water powers shall have twenty feet head on all streams large enough to run mills and shall hold the same as vested rights All mill sites shall be one hundred feet square to build upon Building lots shall be fifty feet front and one hundred feet back

TIMBER

SECTION 32 All timber on Quartz claims shall belong to the owners of the claims and where the lodes run near each other the timber shall be equally divided between the respective owners the timber on all other claims shall belong to the owners thereof

WATER COMPANIES

SECTION 33 When water companies are engaged in bringing water to any portion of the mines they shall have the right of way secured to them and may pass over any road, claim or ditch but shall so guard themselves in passing as not to injure the party over whose ground they pass

SHERIFFS FEES

SECTION 34 The sheriff shall receive for his services the following fees towit

Serving summons for each person therein named	.25
Writ of Mandamus	.50
Subpœna for each person therein named	.12½
Serving writ of Attachment	.75
" " " Replevin	.75
" " " order or notice of court	.25
Executing order of arrest	.25
Taking each bond	.25
All copies necessary to complete the service for each one hundred words or fraction over, or less number of words	.10
Summoning each Juror	.25
" " Talesman	.07½
Serving in criminal cases	50
Attending prisoner befer court or Jury	.50
For each mile travel computed each way	.05
Appraisement of property	.95
Advertising property for sale beside actual expenses	.75
Levying execution	.50
Making deed for propertys sold on execution	1.50
Selling property on execution or order of sale	.50
Attending Court per day	1.00
Bringing up prisoner on writ of habeas corpus beside actual expenses	.75
For all sums made by sale on execution or order of sale not exceeding five hundred dollars 2½%	
If made without sale on all sums under five hundred dollars 1½% over five hundred dollars ½%	
All fees not enumerated to be in proportion to those enumerated	
Witness and Jurors fees per day	2.50

NEW LODES

SECTION 35 Owners of a newly discovered lode running parallel and within twenty five feet of a previously discovered lode shall be entitled to work the same and occupy one half of the surface between the crevices for waste dirt quartz &c Hereafter no lode shall be recognized as crossing a gulch and whoever shall discover the course and prove up the lode on the opposite side of the gulch shall have the right of discovery as the law provides and shall also have the right to name the lode but lodes staked and claimed across a gulch or an extension of one already discovered on the opposite side shall be legal provided they do not interfere with lodes or claims already recorded or being discovered

CROSS LODES

SECTION 36. Owners of cross lodes shall have the right to work their crevice up to the crevice of the previously discovered lode and one half of the surface for waste dirt Quartz &c

MURDER

SECTION 37 Any person found guilty of willful murder shall be hanged by the neck until dead and then given to his friends if called for and if not to be decently buried and all other crimes not enumerated in these laws shall be punished as the court or jury of men may direct

PERJURY OR THEFT

SECTION 38 Any person found guilty of perjury or theft shall receive not more than twenty five nor less than ten lashes on the bare back and banished from the district and their property confiscated to pay costs of prosecution and damages

SALTING CLAIMS &C

SECTION 39 Any person found guilty of salting as it is termed or putting gold into either Quartz or gulch claims for the purpose of deceiving or found guilty of pulling up stakes or defacing them or in any manner destroying notices of land mark shay pay a fine of not more than fifty nor less than ten dollars and in default of the payment of said fine they shall receive not less than ten nor more than twenty five lashes upon the bare back and be banished from the District

SETTING OUT FIRES

SECTION 40 Any person who shall willfuly maliciously or through negligence set out any fire in this District and destroy any timber or other property shall be guilty of a misdemeanor and on conviction thereof shall be punished as the Court or Jury may direct and be liable to all parties injured thereby.

NUISANCES

SECTION 41 Every act of commission or omission which may affect the public health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable to a fine of not more than a hundred nor less than five dollars and remain so liable for every twenty four hours that the same may continue to be determined by the Court or jury according to the aggravated nature of the case and it shall be the duty of the officers of this District to see that this section of the law is put in force

SECTION 42 All gambling houses and houses of ill fame or prostitution shall be considered a public nuisance and treated as such

BOUNDARIES

SECTION 43 The boundaries of this District shall remain as fixed by the committee elected for that purpose on the 15th of January last and as set forth in the first section of these laws and as survey and platted by said committee until changed by a vote of the majority of the legal voters of this District at a meeting legally called by the President of this District for that purpose or until changed by a committee of Delegates from this and adjoining Districts

SECTION 44 These laws shall take effect from and after their adoption and shall not be altered changed or amended without authority and sanction of a majority of the legal voters of this District at some public meeting legally called for that purpose

TOLL ROAD

SECTION 45 John Q. A. Rollins & Co are hereby authorized to build a toll from Gold Dirt up Gamble Gulch or its vicinity to connect with a road at the head of Missouri Gulch that will lead to Central City or Gregory Point and collect toll on the same not exceeding one dollar for a double team and seventy five cents for a single team

We hereby certify that the foregoing is a true copy of the Revised laws of Independent Mining District as passed at a meeting legally called for the adoption of said Revised laws which said meeting finished said labors on the 19th day of February A. D. 1861

Given under our hands at said Independent District the day and year aforesaid

DAVID RIPLEY *Chairman*

W. B. OSBORN *Secretary*

BOULDER COUNTY.—GOLD LAKE MINING DISTRICT.

BY LAWS OF GOLD LAKE MINING DISTRICT NEB. TER. AS REVISED FEB. 26TH A. D. 1861.

ARTICLE 1 This District shall be known and distinguished as Gold Lake Mining District.

ARTICLE 2 This district shall extend East (1) mile South to Left hand creek including creek—West (4) miles, and north (5) miles All measurements to be taken from a certain large rock at South side of lake.

ARTICLE 3 Its officers shall consist of a President. Vice President and Recorder

ARTICLE 4 It shall be the duty of the President to preside over the meeting of the mines of this district—Call all special meetings—heare and decide causes arising upon disputes on claims, and issu certificates for claims.

ARTICLE 5 It shall be the duty of Vice President to fill the office of Pres. in his absence

ARTICLE 6 It shall be the duty of the Recorder to keep a record of the proceedings of all meetings of the miners of the district and to keep a book in which he shall record all certificates issued by the Pres.

ARTICLE 7 The Pres. shall be entitled to receive (50c) fifty cents for each certificate issued by him—and the Records for recording the same, (50c) fifty cents.

ARTICLE 8 Any person who shall make a discovery of mineral, either in gulch, lead, or otherwise shall be entitled to one discovery claim thereon and one and one preemtion claim on any lead or gulch by him discovered. All claims on leads to be (100) one hundred feet long and (50) feet wide—And gulches (100) one hundred feet long and from bank to bank. He shall name his lead—measure and stake of legibly mark his discovery claim,—and each claim on either side of the discovery claim shall be called No. (1) one. He shall also present a description of his claim to the Pres. for which he shall receive a certificate

ARTICLE 9 Any person not a discoverer of Leads in this district may hold one claim on every lead in this district by the right of preemption

ARTICLE 10 Every person preemting a claim in this district must stake the same at both ends and legibly mark it as claimed by him—giving date, and record the same within (10) ten days—this article to take effect upon the 1st day of April A. D 1861

RESOLUTION

Resolved—That all claims hither to preemted prior to this date and which shall be preempted prior to the 1st day of April next shall be duly staked as provided for in article (10)—prior to the 1st day of May A. D. 1861.

ARTICLE 11 Any person taking pree mption claims in this dis. shall be entitled to all the privileges granted to persons taking discovery claims.

ARTICLE 12 Any person having conformed the preceding By Laws in reference to securing claims, may hold the same without improving—until a quartz mill shall be located in said district and farther action had by a vote of the miners.

ARTICLE 13 The pres. shall have power to act as justice of the peace in all suits arising upon disputes on claims—and any party having a suit before him may submit the same to his decision or he may demand a jury of six disinterested men which shall be empannelled according to common law. They shall hear and determine on the verdict and it shall be necessary for the verdict to be unanimous and that in all cases of appeal said appeal shall be taken within (10) ten days.

ARTICLE 14 The Pres. shall be entitled to a fee of ($3.00) three Dollars for every suit brought before him—and the Jury One Dollar each, and any witness (.50) fifty cents.

ARTICLE 15 Any person feeling himself injured or unjustly dealt with by the Judgement of the court or Jury may appeal to the miners of the dis. providing that he shall first pay all costs that may have accrued—and in all cases all the cost of any suit from the beginning thereof until the final termination, shall be taxed to the losing party—but nothing in this article shall be so construed as to hinder the collection of any costs of the Plaintiff made by himself when it is not collectable of the Defendant.

ARTICLE 16 All motions made before a meeting of the miners may be carried by a majority vote. And any article of the By Laws may be altered, ammended, or new ones enacted by a majority vote of the miners of the district.

ARTICLE 17 The office of this dis. shall hold their term of office for one year—unless there be a vacancy in which case the vacancy may be supplied at any meeting of the miners.

CLEAR CREEK COUNTY.—BANNER MINING DISTRICT.

At a meeting of the Citizens of Spring Brook held March the Eighth 1861 at 7 o'clock p. m. the house being called to order Randolph Tennal to the chair and John Cree appointed secondary of said meeting the following resolutions was offered

RESOLUTION 1ST

Resolved whereas Trail Creek District embraces to much territory for the convenience of the miners and Whereas we do not consider the laws of said district sufficient to protect our interests and whereas a meeting of the miners was lawfully called and the officers of said district utterly refused to give the miners a hearing and to make such Laws as would protect our interests

Resolved therefore that we the miners of Spring Brook form a new district bounded as follows. Beginning at the North West corner of Trail Run District and running from thence Westerly along the middle of the maine divide between the waters of Trail Creek and Turkey Creek as far as the western Boundary of Trail Creek District From thence North Westerly as far as the South West corner of Iowa District from thence along said Boundary to the North Boundary of Trail Run District and from thence to westerly to the place of beginning

Resolved that the above described boundary shall be called Banner District and the above named Territory is set for the benefit of a new district

Resolved that a committee of four be appointed to draft a code of laws The Committee consisting of Myron Andrews Randolph Tennal B F Darrah and John Cree to report the said laws so codified at a meeting to be held in Spring Brook on the 19th of March 1861

THEIR REPORT

In accordance with the duties imposed upon us as a committee to draft a code of laws for Banner District, we present the following Resolutions for your candid reflections all of which we most heartily and cheerfully submit to you the Citizens of said District

MYRON ANDREWS
B F DARRAH
RANDOLPH TENNAL
JOHN CREE

CHAPTER I

SECTION I The officers of this District shall be a President a Judge of the Miners Court a Sheriff and a Recorder who shall be elected on the first Monday in March of each year and who shall hold their offices for the term of one year from the date of their election or until their successors are elected and qualified unless they sooner die remove from the District resign or are removed for misconduct as hereinafter provided

SECTION II When any officer (except the President) of this District shall be guilty of misconduct or malfeasance in office it shall be the duty of the President when an affidavit is made setting forth the specific charge, to issue a notice to such Officer to appear before him him for trial The President shall appoint a prosecutor and the trial shall be conducted according to the laws for misdemeanor

SECTION 3 In case the President of the District is charged with misconduct in office it shall be the duty of the Judge of the Miners Court to perform the duties prescribed for the President in the foregoing section

SECTION 4 Each officer before entering upon the discharge of the duties of his office shall take an oath to support and faithfully execute all the laws of this District

CHAPTER 2—DUTIES OF THE PRESIDENT.

SECTION I It shall be the duty of the President to preside at all legally called meetings of the miners and to call special meetings by posting three notices within the District at least three days before the time of said meeting when in his opinion there is a necessity for the same or when a petition is presented signed by not less than ten Citizens of the District specifying the particular object of the meeting which object must be distinctly stated in the notice

SECTION 2 It shall be the duty of the President to preside in the Miners Court in any case where the Judge of said court is in any manner interested in the result of the suit or otherwise disqualified unless objection is made by either of the parties in which case it shall be his duty to appoint a Judge Protem

SECTION 3 It shall be the duty of the President to sign all orders on the Treasurer for money legally appropriated and all deeds for property belonging to the District which the miners of the district authorize to be sold and also to have the care of any property belonging to the district except such as it is the special duty of some other Officer to protect it shall also be his duty to institute suit against any person guilty of destroying or injuring any property belonging to the district or committing any offence recognized in the laws as a misdemeanor nuisance or crime and to appoint a suitable person to conduct the prosecution

SECTION 4 It shall be the duty of the President of the District to appoint an officer protem to fill any vacancy that may occur

DUTIES OF THE JUDGE

SECTION 5 The Judge of the Miners Court shall execute a bond with good and sufficient security to be approved by the President in the penal sum of five hundred dollars for the faithful performance of of his duties

SECTION 6 The Judge of the Miners Court shall perform the duties of the President in case of his absence or disability

SECTION 7 The Miners Court shall have Jurisdiction over all civil contracts made in this or any other district in Colorado territory provided the partis were citizens of this district at the time of making the contract or provided the defendant is a citizen is a resident of the District at the time of the institution of the suit

BONDS FOR COSTS

SECTION 8 It shall be the duty of the Judge in all cases before entering suit to require a bond with good and sufficient security for the payment of all costs and for all damage in case of attachments being wrongfully sued out

SECTION 9 No suit shall be brought in the Miners Court for indebtedness contracted in any other state or territory except by consent of all the parties interested and no execution shall be collectable on a Judgement rendered upon such indebtedness except as hereinbefore provided

DOCKET

SECTION 10 The Judge of the Miners Court shall keep a docket on which a correct record of all the proceedings of his court shall be entered and he shall file and safely keep all papers connected with suits before him

FINE FOR CONTEMPT

SECTION 11 It shall be the duty of the court to levy a fine not to exceed ten dollars for Contempt of Court said fine to be collectable by sale of property on exicution and the proceeds of same to be paid into the District treasury

SECTION 12 It shall be the duty of the Judge to issue an attachment when the plaintiff in any suit shall make oath that he believes the defendants is about to abscond or dispose of his property to defraud his creditors

SECTION 13 The Judge of the miners Court shall have full probate Jurisdiction within this district

SECTION 14 It shall be the duty of the Judge of the Miners Court to pay over to the Treasurer of the District all moneys coming into his hands for fines

DUTIES OF THE RECORDER

SECTION 15 It shall be the duty of the Recorder safely to keep the Records of the district and to record all papers upon the payment of his fees to act as his secretary at all public meetings of the District and by virtue of his office as Treasurer to keep all moneys of the District paid to him subject to the draft of the President also to keep all vouchers so that at any time he may be able when called upon to exhibit the financial condition of the District

SECTION 16—The Recorder may appoint a deputy who shall be duly sworn for whose special acts he shall be responsible

SECTION 17—It shall be the duty of the Recorder to execute a bond with good security to be approved by the president and Judge of the District in the penal sum of Five Hundred Dollars for the faithfull performance of the duties of his office

DUTIES OF THE SHERIFF

SECTION 18—The Sheriff of the district shall execute a bond with good and sufficient security to be approved by the President and Judge of the District in the penal sum of Five Hundred Dollars for the faithfull performance of the duties of his office

SECTION 19 It shall be the duty of the Sheriff to execute all papers issued by the proper officers and make due return entered thereon

SECTION 20—It shall be the duty of the sheriff to return any notice or summons on or before the time set therein for trial, and the manner of service shall be set forth in the Sheriffs return thereof

SECTION 21—It shall be the duty of Sheriff when he attaches any property not capabal of manual delivery to file a list of the same with the Judge immediately

SECTION 22—It shall be the duty of the Sheriff to receive and return in person all papers which it is his duty to serve and execute and to be present at all settings of the Court and to perform such other duties as may be required of him by law

SECTION 23 It shall be the duty of the sheriff to execute or cause to be executed all penalties for criminal offences

CHAPTER 3—OFFICERS FEES

PRESIDENTS FEES

SECTION I The President shall be entitled to one dollar for calling special meetings and posting notices to be paid by the petitioners at the time of presenting said petition

JUDGES FEES

SECTION 2—The Judge of the miners Court shall be allowed fifty cents each for issuing all papers except subpœnas for which he shall receive twenty five cents if containing one name and fifty cents if containing more than one name for docket entry one dollar for the trial of each cause one dollar and fifty cents for each continuance of a cause one dollar

RECORDERS FEES

SECTION 3—The recorder shall be entitled to fifty cents for recording each pre-emption claim and shall record discovery claim free of charge and fifty cents for a deed or any other instrument of not more than one hundred words and at the rate of fifty cents for each additional one hundred words

SHERIFF FEES

SECTION 4—The sheriff shall receive the sum of fifty cents each for serving all papers except subpœnas for which he shall be entitled to twenty five cents for each person subpœned When on official business outside this District he shall be allowed ten cents for each mile necessarily traveled he shall also be allowed fifty cents each for three notices in case of sale under execution and one dollar for selling property or empaneling a Jury one dollar and for waiting on the court he shall be allowed fifty cents for each cause tried

CHAPTER 4—LAWS OF MINERS COURT

SECTION I. Any person wishing to commence a civil action in the Miners Court shall file with the Judge of said Court a statement in writing setting forth his grounds of complaint which shall contain all the alligations and facts necessary to constitute a cause of action in plain and unequivocal language and if the defendant does not appear and answer to said complaint the court shall require plaintiff to make oath to the correctness of his complaint and that he knows of no legal offset which the defendant may have, upon complying with the foregoing requirements the Judge may enter Judgment for the amount claimed together with all costs of suit

SECTION 2—Depositions may be used in evidence before the Miners Court providid, the witness is sick and unable to attend at the place of trial about to leave the country or is out of the Jurisdiction of the court Provided also, that the adverse party shall have notice of the time and place when and where such deposition will be taken and have the right to cross question such witness

SECTION 3 No cause shall be continued except by consent of both parties or upon the affidavit of one of the parties or his attorney setting forth good cause for continuance of for the absence of a material witness, in which case the party shall state on oath that he cannot safely proceed to trial without said witness and what he expects to prove by said witness and that he believes he can procure the testimony of said witness at some specified future time

SECTION 4 Garnishee process may issue as a part of the original writ to be served upon both the defendant and garnishee, or seperately, or it may be issued after execution is returned unsatisfied, and in either case, if the garnishee shall pay the defendant the amount of his indebtedness after service of said notice and before the final Judgment (if any is obtained) is paid he shall be liable to the plaintiff for such indebtedness

SECTION 5 New trials may be granted for good cause shown upon the same terms or by the rules of common law, provided the party applying for a new trial first pay the costs that have already accrued

SECTION 6 It shall be optional with the parties to any suit whether the same shall be tried by the Judge of the Miners Court or by Jury

SECTION 7 The regular number of Jurymen to try civil cases unless otherwise agreed upon by the parties, shall be three.

SECTION 8 Each party shall have the right to three peremtory challenges, and as many as necessary for cause

APPEALS

SECTION 9 Either party feeling aggrieved may appeal from a decision of a Jury of three, or the Judge, to a Jury of twelve and if their decision is unanimous, it shall be final provided that the party appealing shall give notice of his notice of his intention to appeal within twenty four hours after the rendition of Judgment, and provided he shall pay the costs already accrued, within five days after the Judgment is rendered

NOTICE

SECTION 10 Notices shall be considered served when read to the party or parties or by leaving a copy of the same at the usual place of residence when not to be found within the district

SECTION 11 Attachment shall be considered served by being read to the parties, together with a list of the property attached, and in case the party or parties cannot be found in the district, by leaving a copy of the same at his or their usual place of residence

SECTION 12 All executions issued from the Miners Court shall be made returnable in twelve days from their date, and the sheriff shall note on each execution the day and hour of receiving the same and return the said execution within the twelve days, whether satisfied or not, with his official acts endorsed thereon

SECTION 13—Any property sold under execution shall be advertised by posting notices in three conspicuous places in the District at least five days previous to the day of sale, said notices must designate the day and hours of sale, together with a description of the property to be offered for sale, the Sheriff may adjourn the sale to some future day within the time specified for the return of the execution provided there are no bids or the bids are unreasonably low notice of such postponement shall be given during the hours of sale

PUBLICATION

SECTION 14 When suit is instituted against any person who is absent from or a non resident of this District service may be had by posting notices or copies of the summons in three conspicuous places in the District at least ten previous to the day of trial. A copy of one of said notices shall be sworn to by the sheriff who posted the same stating when how and where he served the same which shall be filed with the papers in the case

SECTION 15 When Judgment is rendered on publication as provided in the foregoing section, the party defendant shall be entitled to a new hearing in said cause within sixty days after the rendition of Judgment by paying all costs and service to the satisfaction of the court that injustice has been done him in the cause, and in case the Judgment is reserved he shall be entitled to recover any real estate claims or their value which may have been sold under execution on such judgments

EXEMPTION

SECTION 16 There shall be exempt from levy and sale on execution the following articles which are necessary for present use by the defendant Mining tools bedding clothing cooking utensils and necessary provisions for three months and in case of a man with a family residing in the district a dwelling house not exceeding three hundred dollars in value, and the lot on which the same is situated together with such articles of household furniture as are strictly necessary also one quartz mining claim which he may select subject only as hereinafter provided

REDEMPTION

SECTION 17 The defendant shall have the right of redemption on real estate sold under execution within sixty days from the time of sale of said property by tendering to the purchaser his Agent or attorney the sum paid together with five per cent interest per month

CITIZENSHIP

SECTION 18 No person shall be entitled to a vote in Banner District for the election of officers making or altering of any laws in said District unless they shall have been a resident of said district for ten days previous to the election

Chapter 5—Criminal Laws

Section 1 Any person guilty of wilful murder upon conviction thereof shall be hung by the neck until he is dead

Section 2 Any person guilty of manslaughter or homicide shall be punished as a Jury of twelve men may direct

Section 3 Any person shooting or threatening to shoot another, or using or threatening to use any deadly weapons except in self defence shall be fined in a sum not less than fifty nor more than Five Hundred Dollars, and receive in addition as many stripes on his bare back as a Jury of six men may direct and be banished from the district

LARCENY

Section 4 Any person found guilty of grand larceny shall be fined in a sum double the amount stolen and receive not less than fifty nor more than one hundred lashes on his bare back and be banished from the District and such other punishment as a jury of six men may direct

Section 5 Any person found guilty of petit larceny shall be fined in a sum double the amount stolen and such other punishment as a Jury of six men may direct

Section 6 Any theft not exceeding ten dollars in value shall be deemed petit larceny, and any theft over that sum in value shall be deemed grand larceny

FORGING

Section 7. Any person found guilty of forging deeds transfers bills of sale or jumping claims legally held under record, defacing names or removing stakes from their proper places shall pay a fine of ten dollars for each offence and double the amount of damages sustained by the injured party, Said damages to be determined by a jury of six men

Section 8 Any person who shall cause or commit any nuisance affecting or liable to affect the health of the people of this District, upon conviction thereof shall pay a fine not exceeding One Hundred dollars to be determined by a jury of six men and remove such nuisance within twenty four hours.

Section 9 Any person convicted of causing a nuisance and failing or refusing to remove the same shall suffer the same penalty for each succeeding twenty four hours as is proscribed in section eight and such other punishment as a jury may direct

Section 10 No person shall be allowed to keep a house of ill fame in Banner District and upon conviction thereof shall be dealt with according to the laws provided for the removal of a nuisance

Section 11 No person shall be allowed to keep a retailing liquor establishment or gambling house in Banner District and upon conviction thereof shall be dealt with according to the laws provided for the removal of nuisance

Section 12 No lawyer nor pettifogger shall be allowed to plead in any court in Banner District

Section 13 All and every offence not enumerated in the foregoing Sections shall be determined by a Jury of six men and punished as they may direct

CUTTING TIMBER

Section 14 It shall be lawful for any person or persons to remove any timber or wood from this District and upon conviction of a violation of this section the person or persons so offending shall be fined in a sum not less than double the value of such timber nor more than One hundred dollars to be collected as other fines

Chapter 6—Claims Defined

Section 1 The term preemtion claim as used in this district shall be construed to mean when applied to a lode one hundred feet running the length of the same and fifty feet in width. When applied to Gulch one hundred feet up and down and fifty feet across when applied to patch or placer diggins one hundred feet square, when applied to tunnel claims the entire distance intended to run the same for discovery purposes, as shown by the record and stake at the mouth of the tunnel, when applied to a mill site and water privilidge four hundred feet on the gulch and one hundred and twenty feet in width. When applied to a ditch claim the entire distance staked out which they intend to run the same or shown by the survey and stakes When applied to building lots any person shall be entitled to preempt two building lots and hold the same as real estate Provided that he or she shall build a dwelling house on either of them within sixty days from the date of their preemtion and have the same recorded

Preemtion

Building Lots

Section 2 *Discovery* Any person discovering a new lode shall dig untill he find the crevice sufficient to show the course of the lode, he shall be entitled to two hundred feet in length on said lode and twenty five feet on each side of his crevice, for the purpose of finding and further defining this crevice and shall put the same on record free of charge as a discovery

Section 3 *Staking* All lodes discovered on and after this date shall be staked as far as claimed with the owners name thereon, the number of the claim, the direction it runs, the name of the Lode, and the date of taking the same, and shall be required to file and record the same within ten days from the time of taking the same, otherwise said claim shall be forfeited

Section 4 All lodes shall terminate at any natural running stream of water

Section 5 All lode claims where the parties have complied with the law shall be held as real estate

Section 6 No person shall hold more than one claim on each lode Patch placer or gulch except by purchase or discovery

Section 7 Any person discovering a quartz lode patch placer or gulch diggins by recording the same may hold as real estate the discovery and one other claim by preemtion

Patch or Placer

Section 8 Any person discovering patch or placer diggins shall be entitled to one hundred feet square as a discovery claim also one hundred feet square as preemption

Gulch

Section 9 Any person discovering gulch diggins shall be entitled to one hundred feet by fifty feet as a discovery claim, also one hundred feet by fifty feet as preemption. Patch placer and gulch claims shall be held as real estate by recording the same

Section 10 When one lode crosses another the owner of the claim first taken up shall not be entitled to any portion of the lode that crosses his claim except in his shaft or drift by virtue of the width of his claim but the first claimant to the ground shall not in any case be impeded in his work by the owner of the claim on the lode which may cross him

Discovery hole

Section 11 The discovery hole shall be considered in the center of the discovery claim unless specified to the contrary on record

Section 12 No person shall be allowed to mine under any building or other improvement unless they first secure the parties owning such improvement against all damages except by priority of title

SECTION 13—All deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of claims, shall be witnessed by two witnesses and must be recorded to be held as valid against creditors or subsequent deeds of grantor

SECTION 14 In all cases where parties shall have complied with the law as far as possible priority of claim when honestly carried out, shall be respected

CHAPTER 7.

Tunnel Law

SECTION 1 Any person or company locating a tunnel claim in this district as hereinafter provided shall be entitled to preempt one hundred by two hundred feet of ground as surface claim at the starting point for tunnel purposes and deposits

SECTION 2 Any person or company running a tunnel under the laws shall be entitled to four hundred feet and no more upon any lode which may be discovered in said tunnel two hundred feet of which may be taken on each side of the center line of the tunnel claim provided such lode has not been discovered and claimed prior to the Discovery in the tunnel provided also that such discovery be preempted and recorded as other Claims

SECTION 3 Any person or company locating a tunnel as aforesaid shall be required to perform ten days work in each month and upon failing to comply with any of the requirements in this section the right to such tunnel claim shall be forfeited

SECTION 4 All tunnel claims shall be staked at the starting point in the center upon which stake shall be written the direction and terminus of said tunnel together with the name of the owner or owners

SECTION 5 Any person or company running a tunnel under this law shall have the right to cross any lode, on the line of said tunnel provided the amount of quartz taken out of such lode shall not be more than is necessary to cross said lode at right angles the size of said tunnel at smallest place

SECTION 6 Any person or company owning lode claims through which a tunnel under this law may pass shall have the right either in person or by their Agent to inspect such lode claim in said tunnel at any time they may desire

SECTION 7 When a person or company claims to have discovered a new lode in their tunnel and said lode is claimed by prior discovery it shall devolve upon the tunnel owner to show that his discovery is a new one

SECTION 8 All persons owning lode claims shall have the priviledge to work the same by tunneling or otherwise and to deposite quartz either by Slide or tramway at the point most convenient for them on any ground claimed under this law for surface deposits provided they do not deposite quartz or place any obstruction nearer than twenty feet from the center of the mouth of said tunnel

OFFICE OF THE PRESIDENT OF BANNER DISTRICT,
April 1st 1861

I hereby certify that the foregoing is a true copy of the laws of Banner District as passed at a legally called meeting on the 21st day of March A D 1861 given under my hand the day and date first above written

M. P. PARKER *President*

Attest
JOHN CREE *Secretary*

LAWS ENACTED APRIL 17TH 1861

CHAPTER I

SECTION 1. The boundaries of Banner District shall commence at a point opposite the mouth of Turkey Creek and at the commencement of the divide between Turkey Creek and Clear Creek and following up said divide to its junction with the divide between Trail Creek and Clear Creek thence down the divide between Trail Creek and Turkey Creek to a point opposite the mouth of Turkey Creek or so as to embrace all the waters of Turkey Creek thence to the place of beginning

JURORS FEES

SECTION 2 Jurors shall be entitled to $2.50 for each case each Juror

TUNNEL LAW

SECTION 3 There shall be a stake set at every one hundred feet from starting point to terminus of said tunnel marked center line of tunnel together with the number of feet from starting point

SECTION 7 Any new lode that may be discovered after any tunnel is located and staked the owners owner of said tunnel shall be entitled to fifty feet on each side of their center line of the tunnel on such new lode providid such new lode crosses their tunnel claim

OFFICE OF THE PRESIDENT OF BANNER DISTRICT
April 20 1861

I hereby certify that the foregoing is a true copy of the laws passed at a legally called meeting on the 17th day of April A D 1861 Given under my hand the day and date first above written

M P PARKER *President*

Attest
JOHN CREE *Secretary*

OFFICE OF THE PRESIDENT OF BANNER DISTRICT
September 16th 1861

I hereby certify that chapter six section third in regard to staking or preemption claims was repealed at a legally called meeting on the day and date first above written

M P PARKER *President*

B F DARRAH *Secretary*

SUMMIT COUNTY.—DETROIT GULCH MINNESOTA MINING DISTRICT.

BY LAWS AND REGULATIONS GOVERNING THE DETROIT GULCH MINNESOTA DISTRICT COLORADO TERY

At a meeting held by the miners at Lawrence's cabin March 14th 1861, declared and organized a District to be named and designated as the Detroit gulch Minnesota District at which meeting C. W. Walker was appointed President and B. F. Dyer Secretary.

On motion it was resolved that the boundaries of the Detroit gulch, Minnesota District shall be as follows, to wit; Its West by North boundary shall be the centre of the prairie into which it outlets; thence extending East by South to its source with all the tributaries lodes and mining thereto belonging within the above-mentioned limits, extending from the first starting point, running up said gulch or ravine one and half mile on each side of said gulch or ravine aforesaid and extend one and half mile around its source or upper extremities, including all the tributaries thereto belonging.

On motion Milton Barney was elected President and E. O. Leach Recorder of said District for the term of one year

On motion of B. F. Dyer the meeting then adjourned to the 6th day of April 1861

APRIL 6th 1861

Meeting met pursuant to adjournment and on motion adjourned to April 14th 1861

APRIL 14th 1861

Meeting met and adjourned without days

ARTICLE 1st *Be enacted*, that gulch claims in this district shall be one hundred feet in length up the gulch including in width one hundred feet of each bank together with said gulch side and lode claims, shall be one hundred feet square

ARTICLE 2 It shall be lawful in this district for each claimant to hold one gulch, one side and one lode claim

ARTICLE 3rd All claimants performing actual labor on their claims at the time of the passage of these laws by company or otherwise shall hold in preference to any other claiming from whatever source they may

ARTICLE 4th All claims in this district shall hold good without labor until the fifteen day of May next after which they are to be continually worked and further any bona fide company working one claim, all the company's claims shall be considered as worked within the meaning of this act.

ARTICLE 5th All claims shall be recorded by the Recorder of this district unless continually worked

ARTICLE 6th It shall be lawful for claiments to dig a tail or drain ditch through claims below sufficient to work their claims to the bed rock and be it further enacted that said claimants shall have the exclusive control of said ditch

ARTICLE 7th It shall be lawful for claimants to dig a head ditch for the purpose of working their claims and have the exclusive control of the same.

ARTICLE 8th It shall be lawful for claim holders to work their claims with Bed Rock Flume Tom, Rocker or other machinery as they choose.

The Judicial Authority of Minnesota District, Detroit gulch shall be vested in one appellate judge; one President; one Sheriff and one Recorder whose term of office shall continue for one year

The Appellate judge shall hear and determine all cases brought before him on appeal and his decision shall be final

The President shall try and determine all cases which shall be brought before him and that have originated within the limits of his jurisdiction and he is authorized and empowered to issue all warrants, summons and writs.

The Sheriff shall execute all writs or process officially committed to him under the seal of the court; shall make arrests and act as public conservator of the peace.

For the faithful performance of his official duties, he shall be required to execute a bond in the sum of two hundred dollars together with two or more securities; the said bond shall be approved by and filed with the President.

The Recorder shall act as clerk of the court and secretary of all meetings called on business pertaining to this district and shall record all preemptions and all articles of conveyance to claims in this district and shall hold the records at all times subject to inspection by miners and others interest in this District

No suits instituted and tried in this district shall be transferred by appeal to any other district for hearing.

The compensation of the President and Judge shall be for each suit tried before them five dollars or five dollars per day for each days attendance at court.

The Recorder's (fees) shall receive five dollars for each case tried and one dollar for recording each certificate

The Sheriff shall be entitled to receive for summoning each juror fifty cents, for serving process one dollar; for executing a warrant of arrest two dollars and fifty cents and for each mile travelled in making arrests twenty cents per mile. Each juror shall be entitled to receive three dollars per day for each days service in attendance at court Each witness shall be entitled to receive three dollars per day for each days service in attendance at court

The claimant in every suit before he can enter the claim for trial shall be required to give security for all costs that may accrue on the trial of said suit which security shall be approved by the President or Judge

Any person who shall be convicted of the crime of murder in this district shall be punished with death by hanging.

Any person convicted of larceny shall be subjected to such punishment or degradation as the jury in their judgment or discretion may deem proper to inflict

All officers of this district shall be residents

The foregoing laws shall take effect and be in from and after their adoption

J. R. ALDEN.
L. M. DOUGLASS
A. DAVIDSON

At meeting of the miners held at the mouth of Dry Gulch June 2d A. D 1861 a motion was made by Alf. Davidsen and seconded by J. E. Hill that the President shall receive five dollars ($5.00) before calling a miner's meeting and attending to it; motion carried

MILTON BARNEY *Pres*

THE DOUGLASS AMENDMENT

ART. 1 *Resolved* that it shall be lawful for claims to be held by purchase in this district—resident miners and that all claims heretofore purchased shall be recognized as good and valid.

ART 2 *Resolved*, that a tunneling claim shall run from the line of gulch claims at either side of the gulch and shall have five hundred feet front on the gulch and extend to the summit of the mountain provided it don't interfere with prior claimants: one tunnel at least shall be run in each tunneling claim and shall have the right of way through any lode already claimed

ART 3 *Resolved* that none but resident miners can hold claims in this district by purchase or preemption unless the claims so claimed shall be in possession of and represented by one or more of the members of a company to which said claimant belongs.

ARTICLE 4 *Resolved* that resident miners in this district can hold claims on any or each of all the tributaries in the main gulch or on any dry gulch patch diggings or dry diggings or lodes in this district or by purchase on any of the above that are now discovered or may be discovered in this district

Approved July 28th A. D 1861

At meeting of the miners held at the mouth of Dry Gulch August 11th A. D. 1861; the following laws were adopted proposed and seconded that there should be no more filing on claims after Monday the 13 provided no certificates had been issued

It was also proposed and seconded that discoverers of leads should be entitled to 500 feet and 100 feet for discovery.

Also proposed and seconded that discoverer of a lead has a right to follow the crevice wherever it may go.

Proposed and seconded that the side shall be 300 feet long, that is in dry or patch diggings

It was also proposed and seconded that claimants digging a tail or drain ditch through another man's claim he (the man digging said ditch shall not be entitled to any of the gold taken out while digging the same.

It was also proposed and seconded that the regulation of the water in Dry Gulch should be as follows: to be turned off at 6 o'clok in the morning and half past five at night.

BOULDER COUNTY.—GRAND ISLAND MINING DISTRICT.

At a meeting of the miners held at the house of Chas. Waunemaker March 16th 1861 Chas. Waunemaker was called to the chair and W. H. Sibley appointed Secretary.

The following resolutions were offered and adopted.

Resolved, Whereas Gold has been discovered in this portion of the Rocky Mountains;

We the miners of this section deem it expedient and necessary to form a new Dis. our remoteness from other districts making it inconvenient to transact business at their respective offices.

ART. 1st This shall be called the, Grand Island Dis.

ART 2nd The boundaries of Grand Island Dis. shall be as follows; commencing at the first ridge E. of Bald-mountain, thence running S. to the south side of Middle Boulder creek to the top of the ridge taking the Northern waters of said creek, thence W. to forks—thence up the ridge on the south side of the N. fork to the Snowy Range; thence N. to the ridge on the S. side of Four-mile creek, thence following the center of said ridge S. to the place of beginning.

ART. 3rd The officers shall consist of a President, Vice Pres. Recorder and Sheriff.

ART. 4th It shall be the duty of the Pres. to preside at all public meetings, try all suits, hear all causes that may come before him, issue warrants and act as Judge of the Dis. and miner's courts.

ART. 5th It shall be the duty of the Vice Pres. to fill the office of the Pres. when the Pres. is absent or unable to attend to his duties.

ART 6th It shall be the duty of the Recorder to keep the books and records of the Dis. and to file and record all proper papers on the payment of his fee, and to act as Sec. at the public meetings of the Dis. he shall be entitled to a fee of one dollar for every claim recorded and certificate issued; and one dollar for each deed, mortgage, bill of sale or other writing necessary to be recorded containing one hundred words or less and per every hundred or fraction there after, fifty cents, in all cases fees must be paid in advance.

ART. 7th It shall be the duty of the Sheriff to Serve all processes issued by the court, make returns of services on the same to the court. He shall be conservator of the peace and perform all the offices requisite to Sheriff. He shall take an oath that he will discharge faithfully and impartially all the duties of his office.

ART 8th All claims made on loads by discovery shall be two hundred feet long by twenty ft wide—All preemption claims, one hundred ft long and fifty ft wide—all discovery claims on patch diggings shall be one hundred ft. square: preemption claims one hundred ft square: all discovery claims on gulch diggings shall be one hundred ft. long and from bank to bank: preemption claims shall be the same: all water claims and steam mill sites shall be three-hundred ft. long up and down the stream and one-hundred and fifty ft. wide, all claims shall be taken by number commencing at the discovery and running each way.

ART 9th The person or persons discovering a Lode shall find a crevice befor he can have it recorded, discoveres shall have thirty days to prove their Lode after staking, marking, naming and filing with the Recorder, which must be done within ten days after locating the same, Preemption claims may be located at any time after the discovery is located. Preemption claims must be filed within forty-eight hours after locating and recorded within fifteen days.

ART 10th All persons finding Lode Claims shall have his or their names, No. & Date plainly mark at the Discovery, or measure and stake and mark their claims.

ART. 11th All water and Lode claims shall be held as real estate—all gulch claims shall hold good for one year from recording.

ART. 12th The President shall receive a fee of five dollars for each and every suit brought before him and five dollars per. day for each and every day said suit may be continued and the usual fees of Justices in the Territory of Kansas for issuing writs, summons and other papers He shall enter in a Docket all judgements, fines, costs etc, in the usual form of justice courts.

ART. 13th The Vice Pres. shall receive the same fees when acting as President.

CLEAR CREEK COUNTY.—LINCOLN MINING DISTRICT.

LAWS OF LINCOLN DISTRICT

Passed at various meetings and approved at a meeting called to receive the report of the Committee appointed to codify and correct the same

AN ACT to define the boundaries of Lincoln District

SECTION Ist *Be it enacted by the citizens of Lincoln District in Convention Assembled* that the boundaries of Lincoln District shall be known and described as follows beginning at a pine tree on the south bank of Fall River about 100 yards above Walter Sulls mill said tree being marked as the South East corner of Lincoln District Thence on a line due north until said line shall intersect the consolidated ditch thence up the line of said ditch to a point where it crosses the South branch of Ranch creek. Thence West one and one half miles above Ranch creek until it intersects a line running W. & S. which has been established and marked as the boundary line between Cumberland & Lincoln districts Thence South on said line to the top of the 2d divide South of Fall River Thence on an easterly Line to the place of beginning

SECTION II *Be it further enacted* that no change shall hereafter be made in the boundrys of this district without the consent of its citizens as hereinafter provided

SECTION III *Be it further enacted* that if any persons shall wish to change the boundries of this district or erect another within the same or annex any territory before that time not belonging thereunto a public meeting of the citizens of this district shall be called and (10) ten days notice given thereof by posting (12) twelve notices of said meeting in as many conspicious places if the petition for a new district or a change of boundary applied for in this district be granted It shall not take affect for (10) ten days thereafter

AN ACT defining claims & regulating the title there to

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that all mining lodes of gold or any other precious metals & all mining and other claims shall be held under and defined by the provisions of this act—

SECTION II *Be it further enacted* that the term claim as used in this district shall be construed to mean when applied to a lode (100) one hundred feet running the length of the same and (50) fifty feet in width including all cup lodes and branches and paralell lodes within the fifty (50) feet when applied to a gulch 100 feet in length following the meandering and extending from mountain to mountain when applied to placer or patch diggins 100 feet square when applied to tunneling claims for discovery purposes shall not exceed 1000 feet in length as shown by record and the stake at the mouth of the tunnel When applied to a water claim 250 feet in length and extending from mountain to mountain When applied to a ranch or farming claim 160 acres when applied to a building claim 40 feet front depth as per survey when applied to bar claims on Fall River shall be 100 feet in length and from the center of the stream to the base of the Mountain

SECTION III *Be it further enacted* each miner shall be entitled to hold 1 river claim 1 Bar Claim 1 Gulch claim 1 placer or patch claim 1 claim on each quartz claim by preemption & 200 feet by virtue of discovery 1 water claim or mill priviledge of 250 feet 1 tunnel claim and one town lot and no more except by purchase

SECTION VI *Be it further enacted* that no party shall be entitled to hold a descovery as such until said party shall have made an actual discovery of the crevice

SECTION V *Be it further enacted* no claims shall be considered valid unless recorded within ten days

SECTION VI All claims shall be held as vested rights in this district Tunnel claims and town only excepted Tunnel claims must be commenced before June 1st 1861 and after that date forfeited if not worked six days in every month Town lots forfeited if not built upon before June 1st 1861 to become vested rights when improved

SECTION VII *Be it further enacted* when claims are held by companies it must be so stated on the stakes marking such claim with the name of each member of the company and to appear upon the records with the description of said claim

SECTION VIII *Be it further enacted* all persons recording discovery claims shall name the lode and state as near as practicable the location of the lode and discovery

SECTION IX *Be it further enacted* that in all gulches or ravines where water is insufficient for general uses the oldest claimant shall have priority of right to use of water

SECTION X *Be it further enacted* all discovery claims shall be marked as such

SECTION XI *Be it further enacted* that when water companies shall be engaged in in bringing water into any portion of the mines they shall have the right of way secured to them and may pass over any claim road or ditch provided the water shall be so guarded as not to interfere with any vested right

SECTION XII *Be it further enacted* that the rules and regulations observed in mining regions within the United States relating to digging for gold or other precious or useful metals under buildings lots ranch farming and other claims shall be observed in this district

SECTION XIII *Be it further enacted* that no claims shall be regarded as valid preempted or recorded in ficticious or false names nor persons not residents of the territory except the same are made in good faith

SECTION XIV *Be it further enacted* that the Recorder of this district shall be and is hereby empowered and authorized to discharge the duties of Notary Public

SECTION XV *Be it further enacted* that the recorder shall be and is hereby empowered to sell all claims recorded upon which his fees may remain unpaid and such claim to be sold at public vendu to the highest bidder after three days notice the proceeds of such sales above his charges and costs to revert to a fund for the improvement of roads

AN ACT relative to tunnel claims and defining the right thereto

SECTION I *Be it enacted by the citizens of Lincoln district in convention assembled* that if any person or persons shall locate a tunnel in this district for the purpose of discovery he or they shall first file a specification of the same with the recorder whose duty it shall be to record the same upon the payment of his fees The said specification shall state the place of commencement and terminus of said tunnel together with the names of the parties interested therein a stake shall be placed at the mouth of the tunnel having written thereon the same thing hereby made necessary to record

SECTION II *Be it further enacted* that any person or persons engaged in working a tunnel provided he or they shall have complied with the requirements of the law shall be entitled to 250 feet on each side of the line of the tunnel as defined in the specification

SECTION III *Be it further enacted* that the person or persons working a tunnel after the same is legally located shall have the priority of right to all lodes discovered on the line of the tunnel within 250 feet each side of the same and shall have the right of way 7 x 7 feet through all lodes which may be in its course if said tunnel is recorded staked and worked according to law

SECTION IV *Be it further enacted* that if the person or persons locating a tunnel shall fail to work the same six days in each month after the first day of June 1861 They shall forfeit their claim to said tunnel but not to the claims they have discovered & hold by virtue of discovery before the tim of forfeiture

SECTION V *Be it further enacted* that no tunnel claim shall be located running on or lengthwise of any known or regular lode

SECTION VI *Be it further enacted,* That when a tunnel is legally located the person or persons locating the same may commence the tunnel at any point within the 500 feet allowed by law provided they shall not claim any discovery outside of the 500 feet

SECTION VII *Be it further enacted* that no person or persons shall be entitled to hold more than one claim or interest directly or indirectly in any tunnel claim in this district

AN ACT in relation to the officers of Lincoln District Their term of office and Fees

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that there shall be elected in this district on the first Monday in October in each year the following officers who shall hold their respective offices for the term of one year unless they shall sooner die resign or remove from this district or removed from their offices for misconduct by the citizens of this district viz, a President Vice President a Judge of the Miners Court Sheriff and a recorder who shall be ex officio secretary of this district and clerk of the court

SECTION II *Be it further enacted* that it shall be the duty of the President of the district to preside at all public meetings of the citizens of the district when called for purposes relating to public business and to preside at the trial of causes in the Miners Court when required by law The duties of the vice President shall be to discharge the duties of the president in his absence or unability to act

SECTION III *Be it further enacted* that it shall be the duty of the Judge of Miners Court to preside at the trial of causes, and perform such other duties as the law requires

SECTION IV *Be it further enacted* that it shall be the duty of the Recorder safely to keep the books and records of the district and to record all proper papers upon payment of his fees to act as secretary of the district and to keep all moneys paid into his hands by the Judge of the miners Court to be paid over as directed by the citizens or some public meeting shall be called

SECTION V *Be it further enacted* that the Sheriff of this district shall have the same powers in this district as are usually conferred by law to similar officers in the state of Kansas

SECTION VI *Be it further enacted* that the fees of the Recorder shall be fifty cents for each claim recorded or transcript given and one dollar for every deed or transfer of claim and one dollar for tunnel claim Two dollars and fifty cents per day for services as clerk of the Miners Court when discharging that duty and such other compensation as allowed by law—

SECTION VII *Be it further enacted* that the fees of the Judge of the Miners Court shall be for presiding at each trial five dollars provided such trial shall not occupy more than one day and and five dollars for each succeeding day Issuing summons fifty cents and all other papers for him to make out double the amount allowed by the law of Kansas—

SECTION VIII *Be it further enacted* that the fees of sheriff shall be as follows serving summons one dollar & 50 cts serving attachment one dollar serving execution one dollar mileage twenty five cents advertising and selling property 8 per cent on all sums under one hundred dollars and on all sums over one hundred dollars six per cent

SECTION IX *Be it further enacted* that the officers of this district shall continue to hold their offices until the new annual election subject to the provisions hereinbefore named

SECTION X *Be it further enacted* that any person shall be entitled to the right to vote in this district who owns a claim therein which is recorded or worked according to law

SECTION XI *Be it further enacted* that the president Judge recorder and sheriff shall each be required to give good and sufficient bonds in the sum of two hundred and fifty dollars the bonds of the Judge to be approved by the President and the bonds of the President Recorder and Sheriff to be approved by the Judge

AN ACT Establishing a Miners Court and regulating its Jurisdiction

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that a regular term of a court to be known as the Miners Court shall be held in this district in some convenient and proper place upon the first Monday in each month and all writs to be made returnable at said term shall be served before the Wednesday next preceding nothing herein contained shall be so construed as to prevent the trials of criminals at any time

SECTION II *Be it further enacted* that if any person shall wish to commence for the recovery of any claim within two weeks after the regular term of said Miners court has commenced a special term of said court may be held to try said cause

SECTION III *Be it further enacted* that the officers of said court shall consist of a Judge a clerk the sheriff of this district or his deputy

SECTION IV *Be it further enacted* that it shall be the duty of said court to sign all writs issuing out of said court whether by himself or his clerk to make all transcripts of Judgments required on payment of his fees to enter Judgments and issue executions and pay over to the proper parties monies collected on such Judgments and executions to try all criminals & pay over to the treasurer all moneys he may receive for the district for fines and Judgments and perform such other duties as necesarily appertain to his office

SECTION V *Be it further enacted* that if the Judge of said court shall not be able to attend any trial or shall be disqualified from any cause to try any suits or if there shall be more business than the court can attend to or if any person shall make his affidavit in writing that he does not believe he can have a fair and impartial before the Judge of said court or if the said Court shall interested in the event of any suit either as plaintiff or defendant or with either of them in any manner the president of the district shall preside in the miners court at such trial

SECTION VI *Be it further enacted* that the miners court shall have equity as well as law Jurisdiction and may grant writs of injunction upon motion in all proper cases and all other motions upon proper cause shown to be supported by affidavits alone and do all such other acts as a court of equity has power to do

SECTION VII *Be it further enacted* that the miners court shall have the power to fine for contempt in the sum not exceeding fifty dollars and may issue execution thereon the same as upon a Judgment

SECTION VIII *Be it further enacted* that the said court shall have power to appoint its own clerk in the absence of the recorder and the said clerk shall have such power as a clerk of record has by the laws of Kansas relating to matters that may come before the court in consequence of some process issued therefrom

SECTION IX *Be it further enacted* that the Jury for each term of court shall be drawn upon the Monday next preceding each term in the following manner the sheriff or his deputy shall place the names of fifty good and substantial men in a box prepared for that purpose and the Judge of the court thereof shall draw the names of eighteen men who shall be summoned to act as grand or petit Jurors for the next succeeding term of court when necessary the sheriff may summone tailsman but no person shall serve as Juror for two successive terms of court

AN ACT in relation to the practice in Miners Court

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* That if any person shall wish to commence a civil action in the miners court of this district he shall file with the Judge or clerk thereof a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language such statement if in equity shall be in the nature of a petition if in law of a complaint and shall be known and called by the name of a petition or complaint as the case may be upon the filing of either a petition or complaint as aforesaid the court or clerk thereof shall issue a writ of summons to be served upon the defendant to appear and answer at the time therein named or Judgment will be taken against the defendant by default if the relief demanded be for a sum of money the amount shall be stated in the summons if for a sum of money and other relief the summons shall state in substance that if the defendant do not appear and answer at the time therein named Judgment will be taken against him by default for the sum of money demanded and such other relief as to the court may seem and if the remedy applied for shall not be for any sum of money the summons shall ask Judgment for the relief demanded in the complaint if at law or the petition if in equity

SECTION II *Be it further enacted* that the defendant may at any time before the time of trial at law of any cause entered in the Miners Court file his answer or demur upon either of which the plaintiff may prove issue and an answer be filed containing new matter irrevelant to the issue it must must be denied or avoided by the plaintiff in his reply and all matter not denied or avoided by one pleading in his reply and all matter not denied or avoided by one pleading subsequent to another shall be taken as confessed and true

SECTION III *Be it further enacted* that all pleading subsequent to the petition in equity shall be the same as used in the United States Courts of equity and the term of three days shall be granted for the filing of each pleading subsequent to another until the issue is made up

SECTION VI *Be it further enacted,* that all pleas in equity shall be verified and no remedy shall be allowed in equity when the same can be had at law

SECTION V *Be it further enacted* that in cases of the foreclosure of a mortgage or lien of any kind upon a claim the equity of redemption when the same is allowed shall not extend beyond thirty days

SECTION VI *Be it further enacted* that the rules of evidence so admitted in the courts of the U. S. shall be observed in the miners court with the exception that either party may file his affidavit in court at any time before the commencement of a trial wherin he may depose to any facts relative to the issue and shall thereafter depose in the same that none of the foregoing facts contained in such affidavit can be proven by any witness whose testimony it is possible to procure either by a deposition or the usual process of this court to compell the attendance of witnesses when the affidavit may be read in evidence the adverse party may have the right to rebut or explain the said facts so set forth by affidavit or depose to any facts that may legally affect the matters deposed to by his opponent which affidavit may also be read in evidence

SECTION VII *Be it further enacted* that in all cases of Judgment for partition of claims between joint owners three disinterested commisseoners shall be appointed by the court who shall affect such partition

SECTION VIII *Be it further enacted* that depositions may be used in this court in evidence provided the witness is sick and unable to attend the place of trial about to leave the country or is out of the Jurisdiction of this court if to be taken within the county of Arapaho notice shall be given to the adverse party of the time & place where the said deposition is to be taken if out of said county no notice need be given

SECTION IX *Be it further enacted* that no cause shall be continued unless upon affidavit of a party or his attorney or of the absence of a material witness whose evidence is material to the issue which he shall state as he believes he can prove by said witness and that the said party cannot safely proceed to trial without the evidence of said witness which he believes he can procure at some future time which he shall state or for some other good and sufficient cause

SECTION X *Be it further enacted* that in all cases of attachment and replevin the practice prescribed by the laws of Kansas shall be observed and when in the case of attachment the defendant has left the country or keeps himself secreted within the same so that process cannot be served upon him publication by posting three notices in as many conspicious places within the district for the term of two weeks shall be deemed sufficient notice the order of publication shall not be granted by the court unless the summons has been returned by a proper officer which return shall show that he has made diligent search and enquiry and cannot learn that the defendant is in this county or that he can not find the defendant and believes he keeps himself secreted to avoid the service of a summons together with other evidence tending to make either of said facts appear

SECTION XI *Be it further enacted* that garnishee process may issue as a part of the original writ to be served on both defendant and garnishee or seperatly or it may be issued after execution is returned unsatisfied and in either case if the garnishee shall pay the demand over to the defendant after legal notice he shall still be held liable to the amount of plaintiffs Judgment & costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

SECTION XII *Be it further enacted* that all special proceedings in the miners court shall be construed according to the forms prescribed in the statutes of Kansas for the year one thousand eight hundred and fifty nine as far as consistant with the laws and local affairs of this district and all motions relating to such proceedings shall be sustained or approved by affidavits alone

SECTION XIII *Be it further enacted* that new trials for all causes which have been or may be tried shall be granted upon the same terms or by the rules of the common law & it shall be descretionary with the court in all cases to grant or reject the application

SECTION XIV *Be it further enacted* that no debt or demand of any nature shall be collected by suit in this court which has not originated either in coming to this mining region or since the arrival of such debtor within the proposed limits of Jefferson Territory

SECTION XV *Be it further enacted* that in all cases where the liability of persons in action founded upon contracts or in mixed actions or part is not pointed out and defined by the laws of this district the common law rules shall apply as to such liability

SECTION XVI *Be it further enacted* that in all suits either in law or equity the order of publication shall be allowed as hereinbefore provided

AN ACT relating to trial and its incidents

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that in all cases where a civil action is hereafter commenced in the miners court the plaintiff shall file a bond with one or more good and sufficient securities conditioned to pay all costs which may be taxed against him in case he should fail to recover Judgment in said suit

SECTION II *Be it further enacted* that in case the costs cannot be collected against the defendant in any cause wherein the plaintiff shall recover judgment the said plaintiff shall be held responsible for all costs he shall make in said suit

SECTION III *Be it further enacted* that upon the return day of a summons if either party shall call for a Jury he shall first advance the fees at the rate of two dollars for each Juror and in case he shall prevail in the same the fees so advanced shall be taxed against the adverse party but in case no Jury is called for the cause shall be tried by the court

SECTION IV *Be it further enacted* that when a Jury is called for the Court or Clerk shall call twelve persons from the Jurors summoned who shall proceed to try and determine said cause

SECTION V *Be it further enacted* that if any person shall either an appeal from the Jury of six he shall give notice thereof upon the same day the first verdict was rendered either by giving a notice in open court or procuring the same to be entered upon the docket of the court and shall perfect his appeal within three days by paying up all costs before that time giving security for future costs and advancing the Jurors fees The cause shall then be set for immediate trial unless otherwise agreed upon between the parties all appeals to be tried before the President

SECTION VI *Be it further enacted* that the defeated party shall be in all cases liable for the cost of suit

SECTION VII *Be it further enacted* that the suit shall be decided by a Jury of twelve men and from the decision of said Jury there shall be no appeal

SECTION VIII. *Be it further enacted* that all executions issuing out of the Miners court shall be made returnable in ten days from date and the sheriff shall note on each execution the day and hour he received the same & return the said execution within the said ten days whether satisfied or not with his proper return thereon endorsed

SECTION IX *Be it further enacted* that witnesses fees shall be one dollar and fifty cents for each day and twenty five cents mileage

SECTION X *Be it further enacted* that two thirds of a jury who shall agree shall be competent to find a verdict

AN ACT in relation to levy and sale upon execution

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that there shall be exempt from levy and sale upon execution all tools for mining bedding cooking clothing and necessary provisions for three months and in case of a man residing with his family a dwelling house not exceeding five hundred dollars in value and such other articles of household furniture as are strictly necessary

SECTION II *Be it further enacted* that notice of all property taken in execution shall be posted in three conspicious places in thre district for the ten days next preceeding the sale thereof and the sheriff may adjourn the said sale when it appears that the notice of the property posted can not be sold unless at a great sacrifice for want of bidders

SECTION III *Be it further enacted* that money collected on execution shall be paid into the hands of the court by the sheriff to satisfy the Judgment in whole or in part that may be recorded on his books and the court shall pay the same to the proper parties

AN ACT Relating to crimes and nuisances committed in Lincoln District

SECTION I *Be it enacted by the citizens of Lincoln District in Convention assembled* that all crimes committed in this district shall be punished as a Jury of twelve men shall direct

SECTION II *Be it further enacted* that any person who shall cause any nuisance affecting the health of the people of this district or liable to affect the health of the people of this district may be sued for the same in the miners court in the name of Lincoln District v. s. the defendant and shall be liable to pay damages in a sum not exceeding one hundred dollars for the use of said district and costs of suit

SECTION III *Be it further enacted* that if any person shall obstruct any highway or make any pit or hole and leave it open so as to endanger life or limb upon any usually travelled road or trail such person may be sued as aforesaid for committing a nuisance and be liable to said district in damages as provided in section two with costs of suit

SECTION IV *Be it further enacted* that any other act of commission or omission which may affect the public health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable accordingly

SECTION V *Be it further enacted* that after any conviction for a nuisance in said Miners court if the said nuisance is allowed to remain for twenty four hours after the person or persons who caused the same and whose duty it should have been to have removed it shall be again liable in damages and shall also be liable for each 24 hours after the conviction as hereinbefore provided in this act

SECTION VI *Be it further enacted* that any person or persons selling spiritious liquors of any kind except for medical or manufacturing purposes upon conviction for the same shall for the first offence pay a fine not exceeding fifty dollars for the second seventy five for the third banishment from the district If any individual shall draw a deadly weapon upon any person in the district he shall be banished from the district

SECTION VII *Be it further enacted* that executions shall issue in all cases under the provisions of this act in the name of the district the same as in any other suit at law

AN ACT containing general provisions for the government of Lincoln district

SECTION I *Be it enacted by the citizens of Lincoln District in convention assembled* that the Judge of the miners court shall pay over each week to the treasurer of the district all moneys he may collect from Judgments in favor of the district contempts of court and fines of every kind and the treasurer shall not pay the same out to any person unless upon the vote of the miners given at some meeting legally called

SECTION II *Be it further enacted* that the President may call a public meeting at any time he may deem the same necessary by having three notices posted in as many conspicious places in the district if he decline calling a meeting at the request of any individual it shall be his duty to call a meeting upon recieving a written petition signed by seven citizens of the district accompanied by the payment of the secretarys fees which shall be two dollars for such service Notices of such meeting to be issued by the secretary by order of the president which shall give at least three days notice.

SECTION III *Be it further enacted* that no timber or lumber shall be taken out of this district for building purposes except scantlin plank or shingles plank not to run three inches in thickness Scantlon 4 x 4

SECTION IV *Be it further enacted* that until the district shall be able to build a court house for the transaction of public business the recorder shall be authorized to hire a suitable room for the transaction of public business and for the trial of causes the sum of two dollars shall be allowed to be taken with the costs of such suit for the use of said room for each trial but all public meetings of the miners shall be held without charge

SECTION V *Be it further enacted* that these laws may be amended or repealed by a two third majority of the citizens of this district voting for the same at any regularly called meeting for that purpose provided no ex post facto laws shall be passed affecting the vested rights of property or claims in this district

SECTION VI *Be it further enacted* that all lode claims shall be measured by surveyor air line

SECTION VII *Be it further enacted* that any claimant on a lode be entitled to all the law sets forth i e all that is within twenty five feet each side of the crevice on said lode

SECTION VIII *Be it further enacted* that no right or title will be granted to parties desiring to establish a toll road

REPEALS AND AMENDMENTS PASSED MARCH 23D 1861

SECTION I *Be it enacted by the citizens of Lincoln district in convention assembled* that all laws relating to tunneling be and are hereby repealed

SECTION II *Be it further enacted* that the law relating to the return of executions making the same returnable in ten days be amended so as to read twenty days

SECTION III *Be it further enacted* that when a party or parties shall stake a claim or claims that the staking of the same constitute a title thereto for the term of ten days upon said party or parties filing with the recorder in their own hand writing a specification setting forth the above and the same shall not be considered as filed for record but merely as a statement setting forth the rights of said parties according to law and after the expiration of said ten days upon recording his fee or fees the recorder shall record the same stating in the record the date said specification was filed all previous laws relating to this are hereby repealed

SECTION IV *Be it further enacted* that the recorder shall not be required to place upon record any document whether setting forth the claims of discovery preemption or transfers bills of sale deed &c &c untill he shall have received his fees for the same and that he may keep a record day book from which only shall such records be made as shall conform to this act

SECTION V *Be it further enacted* that the plaintiff in any case brought before the Miners Court when writ of attachment is issued with the summons shall give good and sufficient security with bonds for all the costs he may make in bringing said suit and double the amount for which he may claim damages.

SECTION VI *Be it further enacted* that section X article 14 is hereby amended as follows no person shall be entitled to vote at an election held in this district for the election of officers except he has been a resident of the district ten consecutive days immediately prior to the election

The above were approved March 23

GILPIN COUNTY.—SOUTH BOULDER MINING DISTRICT.

REVISED LAWS OF SOUTH BOULDER DISTRICT PASSED MARCH 30TH 1861 AND ADOPTED BY THE MINERS.

CHAPTER I.—BOUNDARIES OF DISTRICT.

The boundaries of South Boulder District are as follows: Starting at a point where the dividing line between S. Boulder and Phœnix District intersects the Western line of Dead Wood District—thence running Southerly in such a course as shall strike the head of Jefferson Canion—thence Southwesterly on the divide between Moon and Gamble Gulch, to the mouth of Lost Creek on the South fork of Moon's Gulch—thence Westerly on a line to terminate at a point run south of the head of the Park on S. Boulder River and on the top of the mountain South thereof—thence north across the head or upper end of the Park and thence running north to the summit of the first divide—thence Easterly to the head of South Beaver Creek—thence down along the South bank of South Beaver Creek within one hundred and fifty feet of it to the place of beginning.

CHAPTER II.—OFFICERS.

SEC. I. The officers of this District shall be, a President, a Justice of the Peace, a Recorder and a Sheriff.

CHAPTER III.—DUTIES OF THE PRESIDENT.

SEC. II. It shall be the duty of the President to preside at all legally called meetings of the miners, and call special meetings by posting three notices in conspicuous places within the District, at least three days before the time of said meeting, when a petition is signed and presented by ten citizens of the District, specifying the particular object or objects of the meeting which objects must be distinctly stated in the notice.

SEC. III. It shall be the duty of the President to preside in the Miners' Court, in any case in which he is not interested in the result of the suit or otherwise disqualified. In such a case it shall be the duty of the Justice of the Peace to preside unless objected to, by the parties interested, in which case it shall be the duty of the Miners to appoint or elect a presiding officer to try the case.

SEC. IV. It shall be the duty of the President to sign all orders on the Treasurer for money legally appropriated; and deeds for property belonging to the District, which the miners of the District may authorize to be sold, and also to have the care of any property belonging to the District, except such as it is the special duty of some other officer to protect. It shall be his duty to institute suit against any person guilty of destroying or injuring any property belonging to the District or committing any offence recognized in the law as a misdemeanor, nuisance or crime and to appoint a suitable person to conduct the prosecution.

SEC. V. It shall be the duty of the President to appoint an officer Pro Tem. to fill any vacancy that may occur, until the Miners shall elect another to fill the vacancy.

SEC. VI. It shall be the duty of the President to keep a Docket, in which a correct record of all the proceedings of his Court shall be entered and he shall file and safely keep all papers connected with suits tried before him.

SEC. VII. The President shall have Probate Jurisdiction within this district according to the laws of Kansas.

DUTIES OF THE JUSTICE OF THE PEACE.

SEC. VIII. The Justice of the Peace of the Miners' Court shall perform the duties of the President in case of his absence or disability.

SEC. IX. The Miners or Justice's Court shall have jurisdiction over all civil contracts made in this or any other district in Colorado Territory; provided, the parties were citizens of this District at the time of making the contract or Provided the defendant is a citizen of the District at the time of the commencement of the suit.

SEC. X. It shall be the duty of the Justice, in all cases before entering suit, to require a Bond with good and sufficient security for the payment of all costs and for all damages in case of attachments being wrongfully sued out.

SEC. XI. No suit shall be brought in the Justices Court for indebtedness contracted in any other Territory or State, except by consent of all the parties interested, and no execution shall be collectable on a judgment rendered upon such indebtedness except as herein before provided.

SEC. XII. The Justice of the Miners Court shall keep a Docket in which a correct record of all the proceedings of his Court shall be entered and he shall file and safely keep all papers connected with suits tried before him.

SEC. XIII. It shall be the duty of the Justice to issue an attachment when the Plaintiff establish by his own or the oath of other person the proof of the facts as alleged in his affidavit, Viz: That he believes the Defendant in the suit pending is about to abscond or dispose of his property to defraud his creditors.

DUTIES OF THE RECORDER.

SEC. XIV. It shall be the duty of the Recorder to safely keep the records of the district and to record all papers upon the payment of his fees. To act as Secretary at all public meetings of the District, and by virtue of his office as Treasurer to keep all moneys of the

District paid him subject to the draft of the President. Also to keep all vouchers so that any time he may be able, when called upon, to exhibit the financial condition of the District.

SEC. XV. The Recorder may appoint a Deputy who shall be duly sworn for whose special acts he shall be responsible.

DUTIES OF THE SHERIFF.

SEC. XVI. It shall be the duty of the Sheriff to execute all papers issued by the proper officers and make due return entered thereon.

SEC. XVII. It shall be the duty of the Sheriff to return any notice or summons on or before the time set therein for trial and the manner of service shall be set forth in the Sheriff's Return thereto.

SEC. XVIII. It shall be the duty of the Sheriff, when he attaches any property not capable of delivery, to file a list of the same with the Recorder immediately.

SEC. XVIIII. It shall be the duty of the Sheriff to execute or cause to be executed all penalties for criminal offences.

CHAPTER IV.—OFFICERS' FEES.

PRESIDENT'S AND JUSTICE'S FEES.

SEC. I. Subpœna	25 cts.	Swearing a jury	25 cts.
For one, two or more	50 cts.	Hearing a cause	1.00 cts.
Swearing witnesses each	20 cts.	Recording a judgment	50 cts.
Venire	50 cts.	Issuing process laws of Kansas.	

RECORDER'S FEES.

SEC. II. The Recorder shall be entitled to fifty cents for recording each claim; fifty cents for a deed or any other instrument of not more than one hundred words and at the rate of fifty cents for each additional one hundred words.

SHERIFFS FEES.

SEC. III. The Sheriff's fees shall be double of that which is allowed a Sheriff by The Revised Statutes of Kansas.

CHAPTER V.—LAWS FOR THE GOVERNMENT OF THE MINERS COURT.

SEC. I. A person wishing to commence a civil action, shall apply to the President or Justice of the Peace, and on the affidavit of the applicant stating that the Defendant is justly indebted to him shall issue a summons returnable in three days, to require the Defendant to appear and answer. If such summons is personally served and if such summons is served by copy and the defendant does not appear—then a new summons shall be issued and if the defendant cannot be found,—the Court issuing the summons shall hear the proofs and allegations of the Plaintiff who shall himself be sworn (granting same privilege to the Defendant if present), in their own behalf, and upon the proofs and allegations then established, the Court or Jury shall give and record judgment.

In case the Defendant can not be found, he or she may at any time within six months apply for a new trial which shall be granted for sufficient cause shown and on the payment of the costs of previous suit.

SEC. II. Depositions may be used in evidence before the Miners Court, Provided the witness is sick and unable to attend at the place of trial, or is about to leave the country or is out of the jurisdiction of the Court. Provided also that the adverse party shall have notice of time and place, when and where such deposition will be taken, and have the right to cross question such witness. Notice, however need not be given when the witness is not a resident of this Territory.

SEC. III. No cause shall be continued except by the consent of both parties, or upon the affidavit of one of the parties or his attorney setting forth good cause for a continuance, as for the absence of a material witness in which case the party must state on oath that he cannot safely proceed to trial without said witness and that he believes he can procure the testimony of said witness at some future time.

SEC. IV. Garnishee process may issue as a part of the original writ to be served upon both the defendant and garnishee or separately; or it may be issued after execution is returned unsatisfied; in either case if the garnishee shall pay the defendant the amount of his indebtedness, after service of the said notice and before the final judgment (if any is obtained) is paid, he shall be liable to the plaintiff for such indebtedness.

SEC. V. New trials may be granted for good cause shown upon the same term, or by the rules of common law, Provided the party applying for a new trial first pay the costs that have already accrued.

SEC. VI. It shall be optional with the parties to any suit whether the same be tried by the President, the Justice, or by Jury.

SEC. VII. The regular number of jurymen to try civil causes unless otherwise agreed upon by the parties shall be three.

SEC. VIII. Each party shall have the right to three peremptory challenges and as many as necessary for cause shown.

APPEALS.

SEC. IX. Either of the parties may appeal from the courts of this District, or from the verdict rendered and entered by the court or by the jury of three to a jury of twelve on payment of costs already accrued, who shall hear the testimony of the parties, in which case the Docket of the Court shall be evidence; and the verdict of the jury of twelve shall be final.—And if the judgment of the Court or the verdict of the jury first trying the cause be reversed, then the judgment shall include the amount of costs paid by the defendant to obtain such new trial.

NOTICE.

SEC. X. Attachments shall be considered served by being read to the parties, together with a list of the property attached and in case the party or parties cannot be found in the District by leaving a copy of the same at his or their usual place of residence.

SEC. XI. All executions issued from the Miners Court shall be made returnable in twelve days from their date and the Sheriff shall note on each execution the day and hour of receiving the same and return the said execution within twelve days whether satisfied or not, with his official acts endorsed thereon.

SEC. XII. Any property sold under execution shall be advertised by posting notices in three conspicuous places in the district at least five days previous to the day of sale. Said notices must designate the day and hours of said sale together with a description of the property to be offered for sale. The Sheriff may adjourn the sale to some future day within the time specified for the return of the execution, provided there are no bids or the bids are unreasonably low. Notice of such postponement shall be given during the hours of sale.

PUBLICATION.

When suit is instituted against any person who is absent from or non-resident of, this district Service may be had by posting notices or copies of the summons in three conspicuous places in the District at least ten days previous to the day of trial. A copy of one of said notices shall be sworn to by the Sheriff who posted the same, stating when, how, and where he served the same, which shall be filed with the papers in the case.

EQUITY.

The Miners' Court shall have equity Jurisprudence and shall be governed by common law rules of equity; Provided either party shall have the right of trial by jury and Provided either party shall show to the satisfaction of the Court that he cannot obtain justice under the rules of law.

EXEMPTION.

SEC. XIV. There shall be exempt from levy and sale on execution, the following articles which are necessary for present use by the defendant; mining tools, mechanic's tools, bedding, clothing, cooking utensils and necessary provisions for three months. And in case of a man with a family residing in the district a dwelling house not exceeding three hundred dollars in value and the lot on which the same is situated together with such articles of household furniture as are strictly necessary; Provided that nothing in the foregoing section shall apply to judgment recovered for wages or labor performed prior to this act.

CITIZENSHIP.

SEC. XV. All persons who now reside in this, or, who shall afterwards come into the District to settle therein, and all persons doing business, who reside out of the District, who on opening claims, Gulch mining Patch claims, building Quartz or other mills, Ranching Farming Tunnelling or otherwise improving his property, when such improvement is actually commenced is entitled to vote in all the meetings of the district.

CHAPTER VI.—CRIMINAL LAWS.

SEC. I. The President and in his absence the Justice of the Peace shall issue a warrant on the complaint of any person under oath charging any person of any crime or misdemeanor committed in this district, authorizing the Sheriff to take the person into custody and to take him or her before the officer issuing the process or if the officer issuing the process is absent, before any other Justice or Judge for trial in the district having cognizance. The charges preferred by the counsel for plaintiff or complainant shall be read to him or her, to which the defendant shall plead guilty or not guilty and on the plea of guilty the Court shall sentence, the prisoner to such penalty by fine or other punishment as he may determine, as defined by the laws of crimes or for Petit larceny, Grand Larceny and Misdemeanor—And on the plea of not guilty then the defendant shall be entitled to a trial by jury and shall have twenty four hours to prepare for trial and the Court shall issue subpœnas on the application of defendant for such witnesses as he shall name and such witnesses shall be required to attend said Court and testify in the cause. Any witness refusing to attend on any Court or service of subpœna may be brought before such Court on attachment issued on the oath of the party requiring his attendance and be subject to all costs accruing upon such attachment if so determined by the Court.

SEC. II. Any person guilty of wilful murder, upon conviction thereof shall be hung by the neck until he is dead.

SEC. III. Any person guilty of manslaughter or homicide shall be punished as a jury of twelve men may direct

SEC. IV. Any crime or misdemeanor whatever not herein before mentioned, or provided for by law, shall be punished as a jury of twelve men may direct.

SEC. V. *Impeachment of Officers.* Any officer of this district may be impeached and deprived of his office for neglect of duty, violation of the laws or any misdemeanor inconsistent with his official position. All charges brought against an officer must be specific and presented in writing at a legally called meeting of the Miners.

TERM OF OFFICE.

SEC. VI. All officers of this district shall hold their respective offices for the time of six months from the day of their election unless they resign, or are legally discharged from the same.

CHAPTER VII.—CLAIMS, DEFINED &C.

SEC. I. All Lode claims made by discovery shall be two hundred feet long by one hundred feet wide and all cross lodes within said boundaries shall be the properties of said claimants; all preëmption Lode claims shall be one hundred feet long by fifty feet wide.

SEC. II. All Gulch claims shall be one hundred feet up or down the Gulch, and from bank to bank; all Batch and Bank claims shall be one hundred feet square; Water claims shall be three hundred feet square.

SEC. III. Every person shall be entitled to one Lode one Gulch one Patch one Bank and one Water claim by right of preemption.

SEC. IV. The discovery hole or shaft, shall be considered in the center of the discovery claim, unless specified to the contrary on record.

SEC. V. Any person owning a Quartz mill or claim on which he has a mill or is preparing to place a mill, shall have the right to cut or construct a race flume or ditch Provided that the water be so guarded as not to interfere with vested rights, priority of claim to be in every case respected.

SEC. VI. No person shall be permitted to mine under any building or other improvement unless they first secure the parties owning such improvement against all damages; except by priority of title.

SEC. VII. All mining claims must be recorded unless continuously worked.

SEC. VIII. In all cases where parties shall have complied with the law as far as possible, priority of claim when honestly carried out shall be respected.

SEC. IX. Any person owning claims of any kind, or property may sell and convey by deed any claim or property to an actual purchaser who shall be entitled to all the rights and privileges belonging to the original owners of such claims or property.

SEC. X. All deeds, bonds, bills of sale, contracts, or any instruments relating to conveyance of property, shall be witnessed and must be acknowledged before the President, the Justice, or Recorder of this district and recorded, to be held as valid against creditors, or subsequent deed of grantor.

SEC. XI. Discoveries on lodes shall not be recorded until the crevice is found and gold or other precious metal is found therein, by washing or otherwise.

SEC. XII. No claim shall be valid without person was actually in the mountains at the time said claim was recorded or have interests here represented by legal active partners.

SEC. XIII. Every water power claimant shall be entitled to all the natural fall of water on his claim or claims.

SEC. XIV. All Water Claims not improved or represented by their owners or their legal agents, on or before the 15th day of next July shall be forfeited and open for preemption.

REMOVING TIMBER &C.

SEC. XV. It shall not be lawful for any person or persons to remove any timber or wood from this district except sawed lumber and shingles, and upon conviction of a violation of this section the person or persons so offending shall be fined in a sum not less than double the value of such timber nor more than one hundred dollars to be collected like other fines.

SEC. XVI. The timber upon all recorded mining building and water claims, shall belong to the same except what has been cut and claimed previous to the passage of this law and shall not be removed or appropriated without the permission of the owner thereof.

CHAPTER VIII.—TOWN SITES AND RANCHES.

SEC. I. Any person or company that may hereafter locate and lay out a Town in this District shall make a map or plat thereof and file or deposit a correct duplicate of the same in the district Recorder's office with the names of the proprietors signed thereunto.

SEC. II. The plat must designate the name of the Town, the district the boundaries and when located. The said plat must have all streets, alleys, public squares, avenues, market houses, burial grounds and lots, named, numbered, and staked off.

SEC. III. All deeds titles or conveyances of said Town lots or property must have the signatures of the proprietors thereof and be recorded in the district Recorder's office—said proprietors being bound for all lots or property deeded or conveyed to any person or persons.

SEC. IV. The said proprietors to have and to hold said Town as real estate as other property of the district

SEC. V. Any persons or company may locate and lay off a Town in this district by complying with the provisions of this law—Provided they get the consent and signatures of a majority of the miners in and of this district.

RANCHES.

SEC. VI. Any person or persons may preempt and hold as real estate a ranche in this district by recording the same in the district Recorder's office. The record must designate the name of the ranch of the proprietors, the boundaries; and of the district and when located or claimed—Provided each person shall not preempt more than (160 A.) one hundred and sixty acres of land and provided they shall improve said Ranch within three months from date of record to the value of ($50.00) fifty dollars and Provided they shall not be entitled to more of the wood and timber thereon than is needed for the improvement and use Ranch, unless manufactured and sold in the district.

LIEN LAW.

SEC. VII. *Be it enacted* that all labor performed or material furnished for any mill, house, tunnel, gulch, ditch or lode be a lien on the same provided the same is recorded within thirty days from the time such labor was performed or material furnished.

TAXES.

SEC. IX. All Lode claims in this district shall be taxed ten cents each on or before the 15th day of Sept. 1861. The proceeds to be applied as the miners may direct—if not paid before that time the sheriff shall give ten days notice, and if not paid within that time, they shall be sold for the taxes, and a valid deed given to the purchaser.

CHAPTER IX.—TUNNEL LAWS.

SEC. I. Any person or company locating a Tunnel Claim in this district as hereinafter provided, shall be entitled to preempt one hundred by two hundred feet of ground, as surface claim, at the starting point for Tunnel purposes and deposits

SEC. II. Any person or company running a tunnel under this law shall be intitled to four hundred feet and no more upon any lode which may be discovered in said Tunnel two hundred feet of which may be taken on each side of the center line of the tunnel claim; Provided also that such discovery be preëmpted and recorded as other claims

SEC. III. Any person or company locating a tunnel as aforesaid, shall be required to commence work upon the same on or before the first day of June 1861. And all claims recorded after the first day of May 1861 must be worked within thirty days from date of filing and recording. Any person or company shall be required to perform at least three months labor for one laborer, in every six months.—Upon failing to comply with the requirements of this section, the right of such Tunnel shall be forfeited.

SEC. IV. All Tunnel Claims shall be staked at the starting point in the center upon which stake shall be written the direction and terminus of such tunnel together with the name of the owner or owners.

SEC. V. Any person or company running a tunnel under this law, shall have the right to cross any lode on the line of said tunnel. Provided the amount of Quartz taken out of such lode, shall not be more than is necessary to cross said lode, the width not exceeding the size of said tunnel at smallest place.

SEC. VI. Any person or company owning claims through which a tunnel under this law may pass, shall have the right either in person or by their agent to inspect such lode claim in said tunnel at any time they may desire.

SEC. VII. When a person or company claims to have discovered a new lode in their tunnel and said lode is claimed by prior discovery it shall devolve upon the tunnel owner to show that his discovery is a new one

SEC. VIII. All persons owning lode claims shall have the privilege of working them by tunneling or otherwise and to deposit quartz either by slide or tramway, at the point most convenient for them on any ground claimed under this law for surface deposits. Provided they do not deposit Quartz or place any obstruction nearer than twenty feet from the center of the mouth of the tunnel.

CHAPTER X.—TOLL ROADS.

Resolved By the Citizens and Miners of South Boulder District at a legally called meeting that we grant the right of way to all toll road companies through this district and a charter for the same.

Provided 1st that said road shall not exceed sixty feet in width.

Provided 2d Said road shall not interfere with the personal rights of individuals acquired previous to the passage of this act.

Provided 3d Said road shall not interfere with the rights granted to other road companies, previous to the granting of any charter hereafter

Provided 4th The citizens of this district shall have the right of way for local use over that portion of the road located within the boundaries of this district by repairing all wear or damage done to the said road or bridges by the said citizens or miners

This act shall take effect and be in force from and after its passage

Passed March 30th 1861

Sec. III of Chapter VII Should read "every person shall be entitled to one lode, one gulch, one patch, one bank, and one water claim by right of preëmption on each and every lode lode, gulch, patch, bank, or water power in the district.

S. BOULDER DIST. Sept. 27th 1861

Be it enacted by the citizens and miners of South Boulder Dist. that the President, Justice, Sheriff and Recorder be sworn to truely and impartially execute the laws of the district and that the Justice and Sheriff give satisfactory bonds to the President before entering upon the duties of their offices, to faithfully discharge the same.

CLEAR CREEK COUNTY.—MORRIS MINING DISTRICT.

At a meeting held April 5th and May 2d 1861 the following laws were adopted by the miners and Citizens of Morris District

CHAPTER I.

The boundaries of the District shall be as follows. Commencing at the mouth of Waldens Fork or Mill Creek and running up said stream the distance of two and one half (2½) miles thence North to the summit of the mountain thence along the summit to the Western line of Iowa District thence along said Western line of Iowa District to one mile south of Clear Creek Thence due West to opposite the place of beginning thence North to the point of begininng

CHAPTER 2D.

SECTION 1st. The officers of this district shall be a Judge of the miners Court a Sheriff a President and a recorder who shall be ex officio secretary and treasurer of the district which officers shall be elected on the twenty third of February of each year and who shall hold their office for the term of one year from the date of their election or until their successors are elected and qualified unless they sooner die resign remove from the district or are removed for misconduct as hereinafter provided

SECTION 2d. When any officer except the President of this district shall be guilty of misconduct or malfeasance in office in it shall be the duty of the President when an affidavit is made setting forth the specific charge to issue a notice to such officer to appear before him for trial The President shall appoint a prosecutor and the trial shall be conducted according to the laws of misdemeanor

SECTION 3d. In case the President of the District is charged with misconduct in office it shall be the duty of the Judge of the Miners Court to perform the duties prescribed for the president in the foregoing section

SECTION 4th. Each officer before entering upon the discharge of the duties of his office shall take an oath to support and faithfully execute all the laws of the district

CHAPTER 3d.

It shall be the duty of the President to preside at all legally called meetings of the miners and to call special meetings by posting three notices within the district at least three days before the time of said meeting when in his opinion there is a necessity for the same or when a petition is presented signed by a majority of the citizens of the district specifying the particular object of the meeting which object must be distinctly stated in the notice

SECTION 2d. It shall be the duty of the President to preside in the miners Court in any case where the Judge of said Court is in any way interested in the result of the suit or otherwise disqualified unless objection is made by either of the parties in which case it shall be his duty to appoint a Judge Pro-tem

SEC. 3. It shall be the duty of the President to sign all orders on the treasurer for money legally appropriated and all deeds for property belonging to the district which the miners of the district authorize to be sold and also to have the care of any property belonging to the district except such as it is the special duty of some other officer to protect—It shall be his duty to institute suit against any person guilty of distroying or injuring any property belonging to the district or committing any offence recognized in the law as a misdemeanor nuisance or crime and to appoint a suitable person to conduct the prosecution

SEC. 4. It shall be the duty of the President of the district to appoint an officer Pro-tem to fill any vacancy that may occur

DUTIES OF THE JUDGE

SECTION 5th. The Judge of the miners Court shall execute a bond with good and sufficient security to be approved by the president in the penal sum of five hundred dollars for the faithful performance of his duties

SEC. 6. The Judge of the miners Court shall perform the duties of the president in case of his absence or disability—

SECTION 7. The Miners Court shall have Jurisdiction over all civil contracts made in this or any other district in Colorado Territory provided the parties were citizens of this district at the time of making the Contract or provided the defendant is a citizen of this district at the time of the institution of the suit

BOND FOR COSTS

SECTION 8th. It shall be the duty of the Judge in Call cases before entering suit to require a bond with good and sufficient security for the payment of all costs and for all damages in case of attachment being wrongfully sued out

SECTION 9th. No suit shall be brought in the miners court for indebtedness contracted in any other state or territory except by consent of all the parties concerned or interested and no execution shall be collectable on a Judgment rendered upon such indebtedness except as hereinbefore provided

DOCKET

SECTION 10. The Judge of the miners court shall keep a docket on which a correct record of all the proceedings of his court shall be entered and he shall file and safely keep all papers connected with suits before him It shall also be his duty to make out and send to the court of appeals a complete transcript of the record in any case where either party complies with the law authorizing an appeal together with any special ruling made in the trial provided parties require it

FINE FOR CONTEMPT

SECTION 11. It shall be the duty of the court to levy a fine not to exceed ten dollars for contempt of court said fine to be collectable by sale of property on exicution and the proceeds of same to be paid into the district treasury

SECTION 12. It shall be the duty of the Judge to issue an attachment when the plaintiff in any suit shall make oath that he believes that the defendant is about to abscond or dispose of his property to defraud his creditors

SECTION 13. It shall be the duty of the Judge of the miners Court to pay over to the Treasurer of the District—all moneys coming into his hands for fines

SECTION 14. The Judge of the miners court shall have full probate Jurisdiction within this district—

DUTIES OF THE RECORDER

SECTION 15th. It shall be the duty of the recorder safely to keep the records of the district and to record all papers upon the payment of his fees To act as secretary at all public meetings of the district and by virtue of his office as treasurer to keep all moneys of the district—paid to him subject to the draft of the President—Also to keep all vouchers so that any time he may be able when called upon to exhibit the financial condition of the district

SECTION 16. The Recorder may appoint a deputy who shall be duly sworn for whose special acts he shall be responsible

SECTION 17. It shall be the duty of the recorder to execute a bond with good security for five hundred dollars to be approved by the president and Judge of the District for the faithful performance of the dutys of his office

DUTIES OF THE SHERIFF

SECTION 18. The Sheriff of the district shall execute a bond with good and sufficient security to be approved by the President and Judge of the district in the penal sum of five hundred dollars for the faithful performance of this dutys of his office

SECTION 19. It shall be the duty of the sheriff to exicute all papers issued by the proper officers and make due return entered thereon

SECTION 20. It shall be the duty of the sheriff to return any notice or summons on or before the time set therein for trial and the manner of service shall be set forth in the Sheriffs return there to

It shall be the duty of the sheriff when he attaches any property not capable of manual delivery to file a list of the same with the Recorder immediately

SECTION 22. It shall be the duty of the sheriff to receive and return in person all papers which it is his duty to serve and execute and to be present at all sittings of the court and to perform such other duties as may be required of him by law It shall be the duty of the sheriff to execute or cause to be executed all penalties for criminal offenses

JUDGES FEES

SECTION 1st. The Judge of the miners Court shall be allowed fifty cents each for issuing all papers except subpœnas for which he shall receive twenty five cents if containing one name and fifty cents if containing more than one name for docket entry one dollar for the trial of each cause three dollars for each continuance of a cause two dollars and for making out the transcript required by law in case of an appeal to the president one dollar

SEC. 2d. The recorder shall be entitled to fifty cents for recording each claim fifty cents for a deed or any other instrument of not more than one hundred words and at the rate of fifty cents for each additional one hundred words

SHERIFFS FEES

SECTION 3. The sheriff shall receive the sum of fifty cents each for serving all papers except subpœnas for which he shall be entitled to twenty five cents for each subpœnaed when upon official business out side this district he shall be allowed ten cents for each mile necessarily travelled He shall also be allowed fifty cents each for three notices in case of sale under exicution and for selling property he shall be allowed seven per cent on all sums under one hundred dollars and five percent on all sums over one hundred dollars and under two hundred dollars and three percent in all sums over two hundred dollars For empanneling a Jury one dollar and fifty cents and for waiting in the Court he shall be allowed fifty cents for each cause tried

SECTION 4th. Jurors shall be allowed the sum of fifty cents per hour

SECTION 6th. Witnesses shall be allowed the sum of fifty cents per hour

CHAPTER V.—LAWS FOR THE GOVERNMENT OF THE MINERS COURT

SECTION 1. Regular terms of the Miners Court shall be held any day provided the parties have five days notice

SEC. 2. Any person wishing to commence a civil action in the miners Court shall file with the Judge of said court a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language and if the defendant does not appear and answer to said complaint the shall require plaintiff to make oath to the correctness of his complaint and that he knows of no legal ofset which the defendant may have when complying with the foregoing requirements the Judge may enter Judgment for the amount claimed together with all costs of suit

SECTION 3d. Depositions may be used in evidence before the miners Court provided the witness is sick and unable to attend at the place of trial about to leave the country or is out of the Jurisdiction of the Court provided also that the adverse party shall have notice of time and place when and where such depositions will be taken and have the right to cross question such witness Notice however need not be given when the witness is not a resident of this territory

SECTION 4th. No cause shall be continued except by consent of both parties or upon the affidavit of one of the parties or his attorney setting forth Good cause for continuance or for the absence of a material witness in which case the party shall state on oath that he cannot safely proceed to trial without said witness and that he believes he can procure the testimony of said witness at some specified future time

SECTION 5. Garnishee process may issue as a part of the original writ to be served upon both the defendant and garnishee or separately or it may be issued after execution is returned unsatisfied and in either case if the garnishee shall pay the defendant the amount of his indebtedness after service of said notice and before the final Judgment if one is obtained is paid he shall be liable to the plaintiff for such indebtedness

SECTION 6. New trials may be granted for good cause shown upon the same terms or by the rules of common law provided the party applying for a new trial first pay the costs that have already accrued

SECTION 7. It shall be optional with the parties to any suit whether the same shall be tried by the Judge of the miners court or by Jury

SECTION 8th. The regular number of Jurymen to try civil causes unless otherwise agreed upon by the parties shall be three

SECTION 9. Each party shall have the right to three preemptory challenges and as many as necessary for cause

SECTION 10. Either party feeling aggrieved may appeal from a decision of a Jury of three or the judge to a Jury of six or to the president of the district Provided that the party appealing shall give notice of his intention to appeal within twenty four hours after the rendition of Judgment and provided he shall pay the costs already accrued within five days after the Judgment is rendered

SECTION 11. In case where an appeal is taken as provided in the foregoing section the case shall be cited to the next term of the court to which the appeal is taken provided at least five days elapse between the time of taking such appeal and the next regular term of the court to which the appeal is taken unless otherwise agreed upon by the parties

NOTICE.

SECTION 12. Notice shall be considered served when read to the party or parties or by leaving a copy of the same at the usual place of residence when not to be found within the district

SECTION 13. Attachments shall be considered served by being read to the parties together with a list of the property attached and in case the party or parties cannot be found in the district by leaving a copy of the same at his or their usual place of residence

SECTION 14. All exicutions issued from the Miners Court shall be made returnable in twelve days from their date and the sheriff shall note on each exicution the day and hour of receiving the same and return the said execution within the twelve days, whether satisfied or not with his official acts endorsed thereon

SECTION 15. Any property sold under execution shall be advertised by posting notices in three conspicuous places in the district at least five days previous to the day of sale said notice must designate the day & hour of sale together with a description of the property to be offered for sale The sheriff may adjourn the sale to some future day within the time specified for the return of the execution provided there are no bids or the bids are unreasonably low Notice of such postponement shall be given during the hours of sale.

PUBLICATION

SECTION 16. When suit is instituted against any who is absent from or a non resident of this district service may be had by posting notices or coppies of the summons in three conspicious places in the district at least five days previous to the day of trial A copy of one of said notices shall be sworn to by the sheriff who posted the same stating when how and where he served the same which shall be filed with the papers in the case

SEC. 17. When Judgment is rendered on publication as provided in the foregoing section the party defendant shall be entitled to a new hearing in said case within thirty days after the rendition of Judgment by paying all costs and showing to the satisfaction of the court that injustice has been done him in the case And in case the Judgment is reversed he shall be entitled to recover any real estate claims or their value which may have been sold under execution on such Judgment

EQUITY

The Miners Court shall have equity Jurisdiction and shall be governed by common law rules of equity provided either party shall have the right to trial by Jury and provided either party shall show to the satisfaction of the court that he can not obtain Justice under the rules of law

EXEMPTION

SEC. 19. There shall be exempt from levy and sale on execution the following articles which are necessary for present use by the defendant mining tools bedding clothing cooking utensils and necessary provisions for three months and in case of a man with a family residing in the district a dwelling house not exceeding three hundred dollars in value and the lot on which the same is situated together with such articles of houshold furniture as are strictly necessary Provided that nothing in the foregoing section shall apply to Judgment recovered for wages or labor performed prior to this date

REDEMPTION

SEC. 20. The defendant in any case on which suit is not already entered shall have the right of redemption on any claim sold on exicution within sixty days after such sale provided that such defendant shall on or before the expiration of the sixty days pay to the Courts for the benefits of the purchaser the amount of the purchase money together with interest at the rate of five per cent per month

CITIZENSHIP

SEC. 21. Any person shall be considered a citizen of this district after a residence of five days in the district

VOTING

SECTION 22. No person shall be allowed to vote in this district except resedents of this district

CHAPTER VI.—CRIMINAL LAWS

SECTION 1. Any person guilty of wilful murder upon conviction thereof shall be hung by the neck until he is dead

SECTION 2. Any person guilty of manslaughter or homicide shall be punished as a Jury of twelve men shall direct

SECTION 3. Any person shooting or threatening to shoot another or using or threatening to use any deadly weapon except in self defense shall be fined in a sum not less than fifty nor more than five hundred dollars and recieve in adition as many stripes on his bare back as a Jury of six men may direct and be banished from the district

SECTION 4. Any person found guilty of petit larceny shall be fined in a sum double the amount stolen and such other punishment as a Jury of six men may direct

SEC. 5th. Any person found guilty of Grand larceny shall be fined in a sum double the amount stolen and receive not less than fifty nor more than one hundred lashes on his bare back and be banished from the district and such other punishment as a Jury of six men may direct

FORGERY

SEC. 6th. Any person found guilty of forging deeds transfers Bills of sale or Jumping claims legally held under record defacing names or removing stakes from their proper places shall pay a fine of five dollars for each offense and double the amount of damages sustained by the injurid party said damages to be determined by a Jury of six men

SEC. 7th. Any person who shall cause or commit any nuisance affecting or liable to affect the health of the people of this district upon conviction thereof shall pay a fine not exceeding one hundred dollars to be determined by a Jury of six men and remove such nuisance within twenty four hours

SEC. 8. Any person convicted of causing a nuisance and failing or refusing to remove the same shall suffer the same penalty for each succeeding twenty four hours as prescribed in section seventh and such other punishment as the Jury may direct

SECTION 9. All and every offence not enumerated in the foregoing sections shall be determined by a Jury of six men and punished as they may direct

SECTION 10. Any theft not exceeding two dollars in value shall be deemed a petit larceny and any theft over that sum in value shall be deemed grand larceny

CUTTING TIMBER

SECTION 11. It shall not be lawful for any person or persons to cut any timber or wood from this district and before conviction of a violation of this section the person or persons so offending shall be fined in a sum not less than double the value of such timber nor more than one hundred dollars to be collected as other fines

CHAPTER VII.—CLAIMS DEFINED.

SECTION 1. The term claim as used in this district shall be construed to mean when applied to a lode one hundred feet extending the length of the same when applied to a gulch one hundred feet up and down and fifty feet across when applied to patch or placer diggins one hundred feet square when applied to tunnel claims the entire distance intended to run the same for discovery purposes as shown by the record and stake at the mouth of the tunnel when applied to mill water priviledges three hundred feet on the creek with the priviledge of using all the water in the creek when applied to surface preemption for mill grounds for every three hundred feet of water power three hundred feet on the creek extending back the same width one hundred and fifty feet when applied to a ditch claim the entire distance staked out which they intend to run the same or show by the survey and stakes When applied to creek bed mining claims one hundred up and down the creek in length and between high water mark on each side When applied to Bar claims fifty wide running back to the base of the mountain

SECTION 2. All lode claims when recorded shall be held as real estate

SECTION 3d. No person shall hold more than one patch gulch placer or bar claim except by purchase or discovery they shall be held as real estate by recording them as such

SECTION 4th. All purchased claims when recorded shall be held as real estate .

SECTION 5th. Any person who shall discover a lode shall be entitled to two hundred feet thereon as a discovery claim and shall be required to set a post on his claim designating the name and direction of the lode and that it is the discovery claim also he shall develop the crevice

SECTION 6th. Any person shall be allowed to hold one claim on each quartz lode as real estate by recording the same and no more except by purchase or discovery

SECTION 7th. Any person discovering a quartz lode by recording the same may hold as real estate the discovery and one claim by preemption on said lode

SECTION 8th. All quartz lodes shall terminate in the center of the gulch or creek

SECTION 9th. When lode claims extend through bar claims the first claim recorded shall hold both

SECTION 10. Any person owning a quartz mill or mill claim on which he has a mill shall have the right to cut or construct a race flume or ditch to convey water to such mill over any claim road or ditch provided the water be so guided as not to interfere with vested rights priority of claim to be in every case respected

SECTION 11. The discovery hole shall be considered in the center of the discovery claim unless specified to the contrary on record

SECTION 12. No person shall be allowed to mine under a building or other provement unless they first secure the parties owning such improvement against all damages except by priority of title

SECTION 13. All mining claims must be recorded unless the same are continuously worked

SECTION 14. All deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of claims shall be witnessed and must be recorded to be held as valid against creditors or subsequent deeds of grantor

SECTION 15. Preemption on lodes which run into each other shall be governed by priority of discovery

SECTION 16. In all places where parties shall have complied with the law as far as possible priority of claim when honestly carried out shall be respected

SECTION 17th. All water power claims or mill sites shall be three hundred feet square and shall be improved on or before the tenth day of June A D 1861 and if not improved by the above specified time they shall be forfeited and any person or persons taking up or preempting said forfeited water claims shall improve the same within thirty days thereafter

SECTION 18. All building lots shall be fifty feet front by one hundred feet deep and the same shall be improved on or before the first day of June A D 1861 or forfeited and any parties taking up the said forfeited building lots shall improve the same within thirty days thereafter

CHAPTER VIII.—TUNNEL LAW.

SECTION I. Any person or company locating a tunnel claim in the district as hereinafter provided shall be entitled to preempt one hundred by two hundred feet of ground as surface claim at the starting point for tunnel purposes and deposits

SECTION 2. Any person or company running a tunnel under this law shall be entitled to four hundred feet and no more upon a lode which may be discovered in said tunnel two hundred feet of which may be taken on each side of the center line of the tunnel claim provided such has been discovered and claimed prior to the discovery in the tunnel provided also that such discovery be preempted and recorded as other claims

SECTION 3. Any person or company locating a tunnel as aforesaid shall be required to commence work upon the same on or before the first day of June eighteen hundred and sixty one in which month he or they shall be required to perform fifty dollars worth of labor upon said tunnel after which he or they shall be required to perform at least three months work for one laborer in each six months upon failing to comply with any of the requirements in this section the right to such tunnel claim shall be forfeited

SECTION IV. All tunnel claims shall be staked at the starting point in the center upon which stake. shall be written the direction and terminus of said tunnel to gether with the names of the owner or owners

SECTION 5th. Any person or company running a tunnel under this law shall have the right to cross any lode in the line of said tunnel provided the amount of quartz taken out of such lode shall not be more than is necessary to cross said lode at right angles the size of said tunnel at smallest place

SECTION 6th. Any person or company owning lode claims through which a tunnel under this law may pass shall have the right either in person or by their agent to inspect such lode claims in said tunnel at any time they may desire

SECTION 7th. When any person or company of persons claims to have discovered a new lode in their tunnel and said lode and said lode is claimed by prior discovery it shall devolve upon the tunnel owner to show that his discovery is a new, one

SECTION 8. All persons owning lode claims shall have the priviledge to work the same by tunneling or otherwise and to deposit quartz either by slide or tramway at the point most convenient for them on any ground claimed under this law for surface deposits Provided they do not deposit quartz or place any obstruction nearer than twenty feet from the center of the mouth of said tunnel

CHAPTER IX.

SECTION 9th. Any and all laws conflicting with the foregoing are hereby repealed Provided that nothing herein contained shall be construed as to interfere with any rights acquired under previously existing laws

P. S.—The following was was passed April 5th 1861 but was left out by mistake:

A stake shall hold a claim for five days from date without recording

We the undersigned a committee appointed to examine the laws of Morris District as filed in the recorders office and Copied by the recorder find the same to be correct except in the instance of bar claims which in accordance with a law duly passed by the miners of this district will be forfeited unless previously worked in the ten days of June A D 1861

D McINTIRE
WELLINGTON SHERWOOD
GRIFFITH COOPER

At a meeting held June 8th 1861 The following resolutions were adopted:

Resolved That a person who is not a resident of this Territory shall not be entitled to hold a mining claim in this district

Resolved That all males and females over the age of ten shall be allowed to hold a mining claim

At a meeting held Aug 24th 1861 the following laws were passed

All certificates of claims or deeds now remaining in the recorders office if not called for within fifteen days from the time of the passage of this act shall be sold at public auction to the highest bidder

All certificates of claims or deeds hereinafter recorded remaining in the recorders office after a space of fifteen days from the time of record such claims or deeds shall be sold at public auction to the highest bidder after a notice of ten days has been given

All moneys surplus monies obtained by the sale of claims as provided in the two preceeding sections shall be paid into the treasury of the district

LAKE COUNTY.—SACRAMENTO MINING DISTRICT.

LAWS.

At a meeting held on May 14th 1861 for the purpose of forming a new District.

A. G. Benson was chosen President and E. W. Jones Secretary.

Col. Austin moved that the District be bounded as follows, to Wit:

Commencing at the lower line of Tier No. 22 Sacramento District, thence running southerly to the line between the Iowa and California Gulches, thence northerly to Evans Gulch thence westerly to the Arkansas River. Carried.

The following named persons were elected as the Officers of Washington District.—William Wigginton, Justice of the Peace; Geo. W. Huston Sheriff, and S. Stede, Stake-driver.

Col. Austin offered the following Motion

On presentation of a petition signed by Ten claim-holders of any District adjacent the Recorder be instructed to give twenty-four hours notice, to take into consideration matters set forth in said petition.

The Laws below written were submitted to the vote of the Miners and on Motion were unanimously adopted. On motion adjourned.

E. J. JONES, *Secretary.*

SEC. 1st. Boundaries of the District as per preceeding page.

SEC. 2d. The Officers of the District shall consist of a Justice of the Peace, Recorder, and Stakedriver whose term of office shall be the period of one year.

SEC. 3d. The duty of the Justice of the Peace, shall be to preside at all trials that may be brought before him, and to issue summons sub.-pœnas Executions and all other papers appertaining to the Justice or Miners Court.

SEC. 4th. The duty of the Recorder shall be to keep a Record of all claims that may be filed with him, and to act as Secretary to all Public Meetings, and to keep a record of the same, and his records of both, claims and By-Laws shall be recorded in suitable Books and shall be open to the inspection of the Public during business hours.

SEC. 5th. The duties of the Sheriff shall be to serve all papers that may be issued to him by the proper authority and to attend the Justices and Miners Court.

SEC. 6th. The duties of the Stake-driver shall be to measure and stake all claims, and to mark the number and range of each claim upon the stake thereof.

SEC. 7th. All claims in this District shall be one hundred feet square.

SEC. 8th. Each person shall be entitled to hold one claim by pre-emption and as many by purchase, as they may choose to buy. Provided, however, that they shall work or cause to be worked said claims while in their possession, the Miners of this District to decide as to the time when claims are workable.

SEC. 9. All claims shall be recorded within ten days after they have been staked, and all Transfers of claims shall be recorded, and no person shall represent a claim until the Deed has been filed for Record.

SEC. 10th. A Miners Meeting shall be called by the Recorder upon the presentation of a Petition signed by Ten Claim-holders for the purpose of revising, amending, or changing the Laws and for filling vacancies in Office.

SEC. 11th. No person shall be a voter at any Miners Meeting unless owning a claim or interest in this District or unless he has been a Bona Fide resident in this District for Ten days.

SEC. 12th. All titles to contested claims shall be settled before the Justice of the Peace.

SEC. 13th. All suits shall be brought by complaint in Writing, to be filed with the Justice of the Peace, who shall thereupon issue a summons to the Defendant or Defendants to appear and answer the complaint, in not less than three days from the date of issuing the summons, which Summons shall be served at least two days before the day fixed for the trial, when the Justice shall proceed to hear and decide the cause, unless either party shall demand a Jury. If either party demand a Jury and advance the fees of the Jury, the Justice shall cause a Jury of six competent persons to be empanelled who shall try the cause and Judgement be rendered accordingly.

SEC. 14th. If either party wishes to appeal, they can appeal to a Jury of twelve competent Jurors by giving Bond and approved Security both for past and future costs, advancing the fees of the Jury within three days, and the Justice shall thereupon issue a venirie for said Jury, who shall proceed to try the cause, and a Verdict of Ten of said Jury shall be final in the cause and Judgement entered accordingly. But the Verdict in all Criminal cases must be a Unit.

SEC. 15th. The Justice shall issue Executions upon all Judgements where no appeal is taken, in Three days after Judgement is rendered.

SEC. 16th. In all cases not provided for in the Code, the Common Law shall be the rule.

SEC. 17th. Attachments may be issued upon the affidavit of any person that the Defendant be indebted to in any sum, and that the said Debtor is a Non-Resident of the District, and is absconding or conceals himself, or is about to leave the Country, or is about removing his property beyond the Jurisdiction of the Court to the injury of his Creditors, and on the Plaintiff's giving Bond and approved Security for such damages as the Defendant may sustain by the wrongful swearing out of said attachment.

SEC. 18th. In all Criminal Cases Warrants shall be issued on Complaint under Oath, and all Criminal Causes shall be tried by a Jury of Twelve Competent Jurors, and said Jury shall name the punishment to be inflicted.

SEC. 19th. The Sheriff shall execute all sentences and Judgements of the Court.

SEC. 20th. On the affidavit that the Justice is biased or partial so that a fair hearing or trial cannot be had before him, a change of Venue may be had to some person whom the parties may agree upon as Justice to try the cause and if the parties cannot agree upon some person to act as Justice, then the Recorder shall act as Justice, and the Justice shall enter Judgement and issue Execution as though the cause had been tried before him.

SEC. 21. All Gulch claims in this District that have been or may be filed, shall hold good until the 14th day of June 1861, after which time if not represented by the real owners shall be jumpable.

The fees of the Justice of the Peace, shall be for presiding at each trial $2.50, for issuing each Summons .50, Sub-poenas, executions & Writs .50, for swearing each Witness .25 for Docketing or Entering Judgment .50, for entering Satisfaction .50.

The fees of the Recorder shall be, for recording each claim .75, Recording ordinary Transfers $1.00

The fees of the Stake-driver, shall be for surveying and staking each claim .50 Said fee to be collected by the Recorder.

The fees of the Sheriff shall be, For serving each Summons, Writ, or Warrant $1.00, For each mile travelling .25, For taking forthcoming or Replevin Bonds .75, For serving Executions $1.25, For advertising Sale each. 50, Ten per cent on all collections under one hundred dollars and Five per cent on all sums over that amount. For attending trial $2.50, For summoning Jurors each .25. Jurors fees shall be $2.50, Witness fees $1.00.

The fees of the Justice, Sheriff, Juror & Witnesses shall be taxed against the losing party and included in the execution. Parties commencing Suit shall give Bond & Security for Costs, which Bond may be dispensed with at the discretion of the Judge.

SEC. 22d. In case of the death of anyone in the District it shall be the duty of the Justice of the Peace to appoint a reliable person as Administrator of the Estate and in contested Settlements the Justice, Recorder, & Administrator shall constitute the Arbitrators to settle and audit the accounts. The fees of said Administrators shall be five per cent upon all sums due the Estate.

SEC. 23rd. These Laws shall loose. no force on account of any informality in the wording of them.

SEC. 24th. The Court of this District shall have full, equitable, Common Law Jurisdiction.

Amendments &c.

At a Meeting of the Miners of Washington held May 25th 1861, Col. Austin was chosen President.

A petition was presented by the Miners of Sacramento District requesting admittance into the District of Washington.

A. G. Patrick moved that the petition of the Miners of Sacramento District be granted, and the District of Sacramento be added to and embraced in Washington District. Carried.

On Motion of Col. Austin the Meeting now adjourned to meet again Saturday July 1st 1861.

E. W. JONES, *Secretary.*

At a Meeting held June 1st 1861, in Washington District to take into consideration the general interests of Washington District, Charles Singetary was called to the Chair.

On Motion the Laws of the Washington District were read

Col. Austin moved that the Law concerning Gulch claims should apply to Patch claims Carried.

Col. Austin moved that all rights acquired under the Laws of Sacramento District be respected. Carried.

A. G. Patrick, that the Laws be ratified and confirmed Section and Section.

The laws were read and adopted with the following amendments.

Sec. 7 was so amended that no infringement should be made upon any right or rights acquired under the Laws of Sacramento District.

Sec. 11 was so amended that actual Residents only should be allowed to vote for Officers of Washington District.

Sec. 14 was so amended that a Verdict of Nine (9) instead of ten (10) should be final in a Jury of Twelve.

The proceedings of the Meeting of May 25th 1861 were read and confirmed.

A. G. Patrick moved that on June 13th 1861, all Offices in Washington District be declared vacant, and a new Election for Officers be held on that day, and that Judges of Election be now chosen. Carried.

J. W. Walton, Wm Curtis Sen., and S. J. Pollock were elected Judges of the Election of June 13th 1861.

It was moved that in case any of the Judges elected should be absent on the day of Election, that vacancies should be filled by the balance present, and that Judges shall have the power to appoint Clerks of Election.

On Motion Meeting adjourned to meet June 13th 1861.

E. W. JONES, *Secretary.*

PROCEEDINGS OF MINERS MEETING OF JUNE 13TH 1861.

Pursuant to adjournment, a Meeting was held June 13th 1861.

J. F. Stone was called to the Chair.

James H. Brown moved that the District now called "Washington", and formerly called "Sacramento" should be known and called by its original name. Carried.

Col. Austin moved to adjourn until June 14th at 10 o'clock. P. M. Carried.

Meeting pursuant to adjournment met at 10 o'clock P. M. June 14th when Geo. F. Crocker offered the following Amendment to sec. 17th Attachments may be issued in all cases in Actions of Debt on the Plaintiff giving Bonds and approved Security in double the amount of the claim or demand, for the payment of all damages the Defendant may sustain by reason of the wrongful swearing out of said attachments.

Col. Austin moved that Sec. 2nd of the Laws should be so amended that two Sheriffs and two Justices of the Peace should be elected and hold Office in Sacramento District. Carried.

W. L. McMath offered the following:

Be it enacted by the Miners of Sacramento Distriot, Colo. Ter. in Convention assembled to Wit:

SECTION 1st Creditors should be allowed to receive Interest at the rate of Twelve per cent per annum where no rate of Interest is agreed upon, for all Monies after they become due by any Instrument of the Debtor in Writing for Money or Monies due on settlement of accounts from the day of liquidating the same and ascertaining the balance, for Money recovering for the uses of another, and retained without the owners consent or knowledge of the receipt of the same, for Money due and withheld by any unreasonable and vexatious delay of Payment or Settlement of accounts and for all other Money due, or to become due for the forbearance of payment whereof an Express promise to pay interest has been made.

SEC. 2nd The parties may in contract of writing whereby any debt is secured to be paid, agree that more or less than twelve per cent per annum may be received.

SEC. 3rd This act to take effect and be in force from and after the date hereof.

Carried.

Wm. J. Austin moved that the Bill introduced by W. L. McMath concerning the lawful rates of Interest be reconsidered. Carried.

Geo. F. Crocker moved that Three per cent per Month be substituted in place of Twelve per cent per annum—Lost.

Twelve per cent per annum was voted to be the rate of Interest, outside of special Contracts.

Wm. J. Austin moved that seven practical Miners, five of whom should constitute a quorum, should be appointed to decide as to whom claims are in a Marketable condition and to adopt some system of drainage. Carried.

Wm. J. Austin, A. G. Patrick Wm. Curtis, Mr Young, Elijah Smether, B. F. Allen, and A. S. Webster were appointed as such Committee.

A. S. Weston moved that the Committee should have the power to fill vacancies by selecting practical Miners for that purpose. Carried.

W. L. McMath moved that Ladies be allowed to hold claims in this District. Carried.

W. J. Austin moved that the rights of the "Fluming Co." be respected. Carried.

A. G. Patrick moved that the Grant given to the "Austin Tunneling Co" be given to Moody & Co. Carried.

A. G. Patrick moved that all claim owners in Sacramento District be required to file their claims with the Recorder by Monday, June 19th 1861 by 10 o'clock A. M. and all those failing so to do shall subject their claims to pre-emption. Carried.

Wm. J. Austin moved that the Clerk of Election read the Election Returns.

George F. Crocker moved that a Delegate be elected to attend the Hamilton Convention with power of Substitution. Carried. On Motion adjourned.

E. W. JONES, *Secretary.*

At a Meeting of the Miners of Sacramento District held June 29th 1861 for the transaction of general business, A. G. Patrick was called to the Chair.

On Motion the Laws concerning the Drainage of Claims &c. were read as follows to Wit:

SEC. 1st The owners of all Gulch claims in this District shall make or cause to be made a Good and Sufficient Drain Ditch, sufficiently deep to drain the bottom of the Pay Streak on the claim below his own, and shall keep the same in repairs. Work shall be commenced on said Ditch on or before Thursday June 20th and ½ of said Ditch shall be completed by the first day of July, and ½ by the 10th day of July, and the whole shall be completed by the 20th of July next. Provided that if any person fail to comply with either of

these rules, his claim shall be forfeited and shall be subject to pre-emption Provided that any person pre-empting such claim, shall commence draining the same immediately, and shall complete the same in the same manner and in as short a time as herein provided for.

SEC. 2nd Whenever it is the opinion of the "Board of Directors" that any claim has been forfeited it shall be the duty of the President of the Board to post a Notice of the same at the Recorders Office, and if the same is not pre-empted within Five days, of the time of posting such Notice, any person or persons owning a claim or claims above shall have the right to drain such claim and hold the same for Drainage.

SEC. 3rd All Side Ditches shall be kept open at the expense of the Owners of claims over which such side ditches pass; and any person obstructing any side Ditch or the Drain Ditch and failing to remove such obstruction immediately upon being notified by any person immediately interested in said Ditches shall pay double the amount of damages that may be sustained thereby, to be recovered by an Action before a Justice of the Peace, of the District in the same manner as in case of Debt.

SEC 4th All claims on Sacramento Flats below Gulch claim No. 31 shall hold good until July 20th without Work, when they shall be drained under the instructions of the Board of Directors

SEC. 5th All claims on the first Tier North of the Gulch above Gulch claim No. 32, are declared workable on and after July 20th 1861 and all other claims not otherwise provided for are declared Workable on and after June 20th, 1861.

SEC. 6th All claims that are Workable shall be worked two days in each week. Any person owning more than one claim may represent his claims by work on any one of them. Provided that no less than two days Work in each week for each claim so owned shall be sufficient to hold the same.

SEC. 7th All disputes arising under these Rules shall be decided by the Board of Directors. Provided that any party feeling aggrieved at the Decisions of said Board shall have the right to appeal to a Jury of Twelve. Said Jury shall be empanelled and the case shall be tried and Judgement rendered according to the Laws of Sacramento District

June 15th 1861

W. JAMES AUSTIN *President*

Attest A. S. WESTON, *Secretary.*

On Motion the Laws enacted by the Board of Directors were Section by Section submitted to the Miners for their Rejection or Approval. The Laws were adopted with the following Amendments Sec. 5th was so amended that all Patch and Side claims above Gulch claim No. 32 should be declared Workable at the same time but should all, without Labor being performed thereon, hold good until July 20th 1861.

A. G. Patrick offered an Amendment to Sec 6th as follows—

All claims that are Workable shall be worked Two days in each Week. Provided that no less than Two days Work on each and every claim so owned shall be sufficient to hold the same, Except where claims are contiguous Working upon one shall be a representation for all.

Carried.

Chas Singletary moved that all partys interested in a Civil Suit shall be entitled to give testimony in their own behalf by giving the opposite party Three days notice of the same. Carried.

A. G. Patrick moved

That any person performing Labor upon any claim may hold claim or claims responsible for the amount of Labor performed thereon and that Laborers be entitled to first pay from such Claims.

George F. Crocker offered an amendment to the above Motion as follows to Wit:

That any party to whom Money is due for Work performed upon any claim shall file his claim with a Justice of the Peace of the District, within five days after ceasing Work upon such claim, or within five days after the origination of his claim and that any party failing so to do, shall nor cannot hold such claim or claims, responsible if before filing his claim, such claim or claims fall into the hands of other parties.

The resolution with the amendment was carried.

H. C. Huntsman offered the following.

Resolved that Hydraulic Claims shall be 200 feet square, and where such claims are contiguous, Work performed upon any one of them shall be a representation for all.

Carried.

On motion meeting adjourned.

E. W. JONES, *Secretary.*

At a Meeting of the Miners of Sacremento District held July 10th 1861, for the transaction of general Business. Wm. J. Austin was chosen president

A. G. Patrick moved that in all suits at law both the Plaintiff and Defendant shall be competent Witnesses. Carried.

A. G. Patrick moved that all Side and Patch claims above Gulch claim No. 30 are declared in a Workable condition and Owners failing to work such Claims, according to Law shall subject their claims to pre-emption. Carried.

On Motion the Meeting adjourned.

E. W. JONES, *Secretary.*

Proceedings of Miners of a Meeting held Aug 30th 1861, V. R. Woodmancy in the Chair.

Jas. R. Brown offered the following Resolutions which were adopted.

Resolved that all Gulch claim owners and holders shall have the right to work their claims in any manner they may see fit, and that they shall be compelled to move only the tailings that do not naturally flow with the water in its natural course down the Gulch.

Resolved that all owners or holders of Side claims shall have the right to work their claims in any manner they may see proper and shall only be compelled to move the tailings that do not naturally flow with the water in its course down the Gulch.

J. H. Brown moved

That when Suit is begun before one Justice of the District an appeal can only be had to the other Justice of the District.

Col. Austin offered an amendment to the above Resolution as follows—

If either party to a Suit shall object to either Justice of the District, the Recorder shall act as Justice.

Carried.

It was moved, that any party guilty of contempt of Court shall be subject to a fine, and said fine shall go to the benefit of the Poor of the District. The limit of said fine to be Twenty-five dollars. Carried.

J. H. Darnall moved that all claims shall hold good from the last of October 1861 until June 1, 1862 without work.

Col. Austin offered an amendment so that claims hold good from last of October 1861 until May 1st 1862. Carried.

J. H. Darnall moved that all claims on which buildings are situated and occupied as Dwellings or Business Houses shall hold good without work until the first day of July 1862. Carried.

On Motion Meeting adjourned.

E. W. JONES, *Secretary*

At a Meeting of Miners of Sacramento District held October 12th 1861, A. S. Weston was chosen President.

W. J. Austin moved that the Law concerning the holding of Office by Two Sheriffs be repealed and that only one Sheriff be allowed to hold Office in Sacramento District and that the election of said Sheriff be immediately commenced. Carried.

Wm. J. Austin moved that five practical Miners be selected by the President to advise some system of Draining & Working claims, and said Committee to report at a Meeting to be held on Sunday October 20th 1861. Carried

James H. Brown offered the following resolution:

Resolved that under all sales under Execution or Attachment, that the Defendant or his Agent or Attorney shall have the right of redemption at any time within Thirty days by paying purchase Money and 10 % thereon, on sale of all Mining claims, Buildings, or Building Lots, Ditches, or Ditch Stock, Flumes or Flume Stock, Provided that nothing herein shall in any way affect Judgements already obtained, or Suits already commenced.

Carried.

The President appointed the following named persons as the Committee to Devise some system of Working and Draining claims—W. J. Austin chairman, R. E. Mc.Claren, Elijah Smither, G. L. Henderson, and Wm. Clark.

Jas. H. Brown moved that the President appoint Judges and Clerks of Election. Carried.

On Motion Meeting adjourned till Sunday October 20th 1861.

E. W. JONES, *Secretary.*

At a Meeting of the Miners of Sacramento District held October 20th 1861, J. M. Wood was chosen President.

The Report of the Committee appointed at the last Meeting to adopt some system of Drainage &c, made their Report as follows—

SEC. 1st Owners of Patch or Side claims adjourning the Gulch shall first commence to drain their claims, running said drain through their claims to the line of the claim lying back of their own, after which time the owner of the claim so drained, shall commence and run his drain through to the claim lying back of his claim, and as fast as drains are run through claims as above specified, the owners of claims lying back shall immediately commence and continue Work until their claims are all drained.

SEC. 2nd Work shall be commenced by owners of claims adjourning the Gulch, on or before November 1st 1861, and shall be continued diligently until his or their claims shall have been drained. Any party failing to commence Work at the time above specified and failing to complete said Drain in a reasonable length of time, shall subject his claim to pre-emption. The party pre-empting any claim so forfeited shall forthwith comply with the above terms, or forfeit his claim, and again subject it to pre-emption

SEC. 3rd All Gulch claims below Gulch claim No. 60 in California Gulch, Sacramento District, are declared Workable on or after October 22nd 1861. Any party owning claims in the Gulch below No. 60 and failing to commence at the above time, and failing to continue the Work on the same until it shall have been drained, shall subject his claim to pre-emption The party pre-empting however to forthwith comply with the above terms or again subject his claim to pre-emption.

SEC. 4th Any party or parties owning Gulch claims above Gulch claim No. 60 and who are necessarily compelled to run through the claim of another party in order to drain his or their own claim or claims, shall be entitled to the pay-dirt taken out of said claim, provided the owner of the claim through which a drain has to be run, refuses to run the same himself when notified.

The following Laws were adopted with the following Amendments:

Sec. 1st was so amended that Gulch claims should first be drained, after which time all Side or Patch claims should be drained according to Section 1st

The following was offered by P. Smith—

Resolved that each claim owner shall be limited to 15 days to run 100 feet of Drain Ditch and that such Drift shall be commenced within five days. Commencing at the upper end of the Flume and running up the Gulch, and that all claims shall hold good until such time that the Drain Drift is worked up to the lower line of the claim above and that each claim owner shall have his shaft sunk when the Drift gets up to him.

The above resolution was carried by having substituted 25 instead of 15 days.

A. S. Weston moved that any party attempting to run a Drain through the claim of another person and failing to complete the same shall forfeit all compensation derived under the Laws of the District. Carried.

Jas. Guffy offered the following amendment to sec. 15 of the original Laws:

A stay of Execution may be granted for thirty days from the time of Rendering Judgement, if the party or parties appear and give Security, Good and approved, for the amount of Judgement and Costs.

Carried.

On Motion Meeting adjourned.

E. W. JONES, *Secretary.*

At a Meeting held April 25th 1862 for the purpose of taking into consideration the propriety of calling a new Election for Officers of Lake County, also to take the sense of the people of Sacramento District in regard to sustaining the present Courts and Laws under which they act, G. D. Breece was chosen President.

On Motion Meeting adjourned to meet again May 15th, at which time the annual Meeting of the Miners of Sacramento District should be held.

E. W. JONES, *Secretary.*

Pursuant to adjournment, The annual Meeting of the Miners of Sacramento District was held, of which Jno. McPherson was chosen President.

A Motion was made, that a Committee consisting of five practical miners be appointed, to revise the laws of Sacramento District, and make their report at the adjourned Meeting to be held May 12th 1862.

The following named persons were appointed as such committee, Hartman, Miles Morgan, A. S. Weston, D. Houghton, and J. P. Potts.

On motion all claims were declared to be not jumpable until May 12th, 1862.

The following resolution introduced by D. W. Mason was adopted.

Whereas Lake County has not been organized in accordance with Laws, in such cases made and provided, Therefor

Resolved, That we as Miners and Citizens of California Gulch, Sacramento District, Territory of Colorado, and County aforesaid do recognize and sustain the Miners Code of Laws, and the Officers elected under the same in the aforesaid District until such time as Lake County shall have been properly organized.

J. H. Brown moved that the County Commissioners be instructed to notify the Governor of Colorado Territory of the state of affairs in Lake County. Carried.

On Motion Meeting adjourned to meet May 12th, 1862.

E. W. JONES, *Secretary.*

Pursuant to adjournment a Meeting of the Miners of Sacramento District was held May 12th 1862, for the purpose of hearing the Report of the Committee appointed to revise the Laws of said District, of which Meeting, J. A. Culver was chosen President.

The following Laws and Amendments were offered by said Committee for consideration

ARTICLE 1, SECTION 1. All persons owning claims in this District shall be allowed to represent them all by working any one of said claims.

ARTICLE 2. All Work done upon Drain Ditches shall represent the claims proposed to be drained, the same as if done upon the claims, and any person or persons owning claims, and intending to work them, shall have Ten days time to prepare Sluices and obtain tools for that purpose.

ARTICLE 3. All persons owning Buildings shall hold the claim or claims upon which their Buildings stand without work, and all persons, who have or may hereafter expend Fifty dollars or more in draining their claims shall hold such claims without work so long as they keep their drain in proper repair.

ARTICLE 4th All owners of claims which are not and cannot at present be drained, shall be allowed to hold the same without work, until such time, as the said claims can be drained at a reasonable expense, by filing within Ten days time from the passage a Written Notice to that affect with the Recorder, describing such claims, and the Recorder's fees for placing the same on file, shall be Twenty five cents per Notice.

ARTICLE 5. All claims not represented according to some one of the foregoing Laws, are hereby declared forfeited and subject to pre-emption according to Law.

SECTION 2nd Any person or persons pre-empting claims must record the same, within Five Days after filing and according to the original Numbers and Surveys. Provided that when such Numbers are not to be found upon the claim, the party pre-empting may Record by discription and such record shall hold good in all cases

SECTION 3rd All owners of claims shall have the right of way through adjourning claims for Draining and shall be entitled to all of the Gold taken from said drains in the construction thereof. Provided that the owners of such adjoining claims shall first be notified to construct the said drain, and if he does not within one Week of said Notice commence Work thereupon and continue the same diligently until the said Drain is completed, then the party requiring drainage may proceed to construct such drains as he or they may need.

SEC. 4th Any person or persons who may hereafter find new diggings or strike a known paystreak at a Distance of Two Hundred feet or more from any point where such paystreak has been claimed and worked, shall be entitled to one claim extra thereupon for Discovery.

SECTION 5th Any Laws or parts of Laws heretofore existing inconsistent or conflicting with the foregoing are hereby repealed.

D. HOUGHTON, *Chairman.*

The foregoing was submitted Section by Section and approved with the following amendments

Sec. 3rd was so amended that a Drift five feet in width should consist a drain.

The following was the Amendment to Sec. 4th—

Any person or persons who may hereafter find a new paystreak or a new Diggings in this District shall be entitled to one Claim Extra for Discovery.

S. D. Breece moved that no Meeting for the purpose of repealing any of the foregoing Laws should be called for the period of Twelve Months from the time of their passage. Carried.

E. W. JONES, *Secretary.*

The foregoing Laws were filed in my Office January 8th 1862.

E. W. JONES, *Clerk & Recorder. Lake County, Colorado Territory.*

WM. B. FISHER, *Expert.*

CLEAR CREEK COUNTY.—CORAL MINING DISTRICT.

CORAL DISTRICT, *July the 1st* 1861

The meeting was called to order pursuant to call by N Parmeter president

After reading and revesing the Spanish Bar Code of laws a motion was made by G M Hopkins for their adoption which carried unanimously

N PARMETER *President*

H PIFLEY *Secretary*

THE REVISED LAW OF CORAL DISTRICT

SEC 1

ART II This district shall be known as Coral District

The boundaries of this district shall be as follows on the S. E. by Jackson Dist. on N. E. by Spanish Bar Dist. on the N. W. Trail Creek Dist on the S W by the Snowy Range

CHAPTER 2—OFFICERS

ART 2 The officers of this district shall be a president Judge of the Miners Court a constable and recorder. who shall be ex-officio Secretary and Treasurer of the District which officers shall be elected on the first Monday of July of each year and who shall hold their offices for the term of one year from the date of their election or until their The boundaries of this district shall be as follows on the South East by Jackson Dist on the North East by Spanish Bar District on the North and North west by Trail Run & Trail Creek District on the South West by the center North branch of Chicago Creek until it comes in a paralell line with the boundary line between Coral and Jackson District Thence due North East till it intersects the North West Corner of Jackson District Successors are elected and qualified unless they sooner die remove from the district resign or are removed for misconduct as hereinafter provided

SECTION 2d When any officer except the president of this district shall be guilty of misconduct or malfeasance in office it shall be the duty of the president when an affidavit is made setting forth the specific charge to issue a notice to such officer to appear before him for trial The president shall appoint a prosecutor and the trial shall be conducted according to the laws for misdemeanor

SECTION 3. In case the president of the district is charged with misconduct in office it shall be the duty of the Judge of the Miners Court to perform the duties prescribed for the president in the foregoing section

SECTION 4. Each officer before entering upon the discharge of the duties of his office shall take an oath to support and faithfully execute all the laws of the district

CHAPTER 3

SECTION 5 It shall be the duty of the president to preside at all legally called meeting of the miners and to call special meetings by posting three notices within the district at least three days before Said Meeting when in his opinion there is necessity for the same or when a petition is presented signed by a majority of the citizens of the district specifying the particular object of the meeting which object must be distinctly stated in the notice

SECTION 2 It shall be the duty of the president to preside in the miners courts in case where the Judge of said court is in any manner interested in the result of the suit or otherwise disqualified unless objections is made by either of the parties in which case it shall be his duty to appoint a Judge Pro. tem.

SEC 2 It shall be the duty of the President to sign all orders on the treasurer for money legally appropriated and all deeds for property belonging to the district which the miners of the district to sold, and also to have the care of any property belonging to the district except such as it is the special duty of some other officer to protect It shall also be his duty to institute suit against any person destroying or injuring any property belonging to the district or committing any offense recognized in the law as a misdemeanor nuisance or crime and to appoint a suitable person to conduct the prosecution

SEC 4. It shall be the duty of the president of the district to appoint an officer pro tem to fill any vacancy that may occur It shall be the duty of the president to qualify all the officers except the Judge to qualify all succeeding officers

DUTIES OF THE JUDGE

SEC. 5—. The judge of the miners court shall execute a bond with good and sufficient security to be approved by the president in the penal sum of one hundred dollars for the faithful performance of his duties

SEC 6 The Judge of the miners Court shall perform the duties of the president in case of his absence or disability

SEC 7 The miners Court shall have Jurisdiction over all civil contracts made in this or any other district in Colorado Territory provided the parties were citizens of this district at the time of making the contract or provided the defendant is a citizen of this district at the time of the institution of the suit

SEC 8 It shall be the duty of the Judge in all cases before entering suit to require a bond with good and sufficient security for the payment of all costs and for all damages in case of attachments being wrongfully sued out It shall be the duty Judge to qualify the president

SEC 9 No suit shall be brought in the miners Court for indebtedness contracted in any other State or Territory except by consent of all the parties interested and no execution shall be collectable on a Judgment rendered upon such indebtedness except as hereinbefore provided

DOCKETS

SEC 10 The Judge of miners Court shall keep a docket on which a correct record of all the proceedings of his court shall be entered and he shall file and safely keep all papers connected with suits before him It shall also be his duty to make out and send to the court of appeals a complete transcript of the records in any case where either party complies with the law authorizing an appeals together with any special ruling made in the trial provided parties require it

FINE FOR CONTEMPT

SEC 11 It shall be the duty of the court to lay a fine not to exceed ten dollars for contempt of court Said fine to be collectable by sale of property on execution and the proceeds of the same to be paid into the district treasury.

SEC 12. It shall be the duty of the Judge to issue an attachment when the plaintiff in any suit shall make oath that he believes the defendant is about to abscond or dispose of his property to defraud his creditors

SEC 13. The Judge of the Miners Court shall have full probate Jurisdiction within this district

SECTION 14. It shall be the duty of the Judge of the miners Court to pay over to the treasurer of the district all moneys coming into his hands for fines

DUTIES OF THE RECORDER

SEC 15 It shall be the duty of the recorder safely to keep the records of the district and to record all papers on payment of his fees To act as secretary at all public meetings of the district and by virtue of his office as treasurer to keep all moneys of the district paid to him subject to the draft of the presedent, also to keep all vouchers so that at any time he may be able to exhibit the financial condition of the district when called upon to do so

SEC 16 The recorder may appoint a deputy who shall be duly sworn for whose special acts he shall be responsible

SEC 17 It shall be the duty of the Recorder to execute bonds with good security for one hundred dollars to be approved by the president and Judge of the district for the faithfull performance of the duties of his office

DUTIES OF THE CONSTABLE

SEC 18 The constable of the district shall execute a bond with good and sufficient security to be approved by the president and Judge of the district in the penal sum of one hundred dollars for the faithfull performance of the duties of his office

SEC 19 It shall be the duty of the constable to execute all papers issued by the proper officers and make due return entered thereon

SEC 20 It shall be the duty of constable when he attaches any property not capable of manual delivery to file a list of the same with the recorder immediately

SEC 21 It shall be the duty of the constable to return any notice or summons on or before the time set therein for trial and the manner of service shall be set forth in the constables return thereto

SEC 22 It shall be the duty of the constable to receive and return in person all papers which it is his duty to serve and execute and to be present at all sittings of the court and to perform such other duties as may be required of him by law

SEC. 23. It shall be the duty of the constable to execute or cause to be executed all penalties for criminal offences

CHAPTER 4.—OFFICERS FEES JUDGES FEES

SEC 1 The Judge of the miners court shall be allowed fifty cents each for issuing all papers except subpœnas for which he shall be entitled to twenty five cents if containing one name and fifty if containing more than one name for docket entry one dollar for trials of each cause one dollar and fifty cents for each continuance of a cause one dollar and for making out a transcript required by law in case of an appeal to the appelated Court one dollar

RECORDERS FEES

SEC 2 The Recorder shall be entitled to fifty cents for recording each claim, fifty cents for a deed or any other instrument of not more than one hundred words and at the rate of fifty cents for each additional one hundred words

CONSTABLES FEES

SEC 3 The constable shall receive the sum of fifty cents each for serving all papers except subpœnas for which he shall be entitled to twenty five cents for each person subpœnad When on official business outside this district he shall be allowed ten cents for each mile necessarily traveled He shall also be allowed fifty cents each for three notices in case of sale under execution and one dollar for selling property For empanneling a Jury of six one dollar and fifty cents for waiting on the courts he shall be allowed fifty cents for each cause tried

JURORS FEES

SEC 6 Jurors shall be allowed the sum of one dollar and fifty cents for each cause tried

WITNESS FEES

SEC 7 Witnesses shall be allowed one dollar for each attendance on a cause

CHAPTER 5—LAWS FOR THE GOVERNMENT OF THE MINERS COURT

SEC 1 Trials for criminal offences or misdemeanor may be instituted at any time

SEC 2 Any person wishing to commence a civil action in the miners court shall file with the Judge of said Court a statement in writing setting forth his grounds of complaint which shall contain all the allegations and facts necessary to constitute a cause of action in plain and unequivocal language and if the defendant does not appear and answer to said complaint the court shall require plaintiff to make oath to the correctness of his complaint and that he knows of no offset which the defendant may have upon complying with the foregoing requirements the Judge may enter Judgment for the amount Claimed together with all costs of suit

SEC 3 Depositions may be used in evidence before the Miners Court provided the witness is sick and unable to attend at the place of trial about to leave the country or is out of the Jurisdiction of the courts provided also that the adverse party shall have notice of the time and place when and where such deposition will be taken and have the right to cross question such witness if not a resident of this Territory

SEC 4 No Cause shall be continued except by consent of both parties or upon affidavit of one of the parties or his attorney setting forth good cause for continuance or for the absence of a material witness in which case the party shall state on oath that he cannot safely proceed to trial without said witness and that he believes he can procure the testimony of said witness at some specified future time

SEC. 5. Garnishee process may issue as a part of the original writ to be served upon both the defendand and garnisheers or seperately or it may be issued after execution is returned unsatisfied And in either case if the garnishee shall pay the defendant the amount of his indebtedness after service of said notice and is paid he shall be liable to the plaintiff for such indebtedness

SEC 7 New trials may be granted for good cause shown, upon the same terms or by the rules of common law provided the party applying for a new trial first pay the costs that have already accrued

SEC 8 It shall be optional with the parties to any suit whether the same shall be tried by the Judge of the Miners Court or by Jury

SEC 9 When either party require a Jury it shall be the duty of the constable to go out and summons six Jurors wherever such may be found

SEC 10

SEC 11 Each party shall have the right to two three preemtory challenges and as many as necessary for cause

APPEALS

SEC 12 Either party feeling aggrieved may appeal from a decision of the Judge to a Jury of six provided that the party appealing shall give notice of his intention to appeal within twenty-four hours after the rendition of Judgment and provided he shall pay the costs already accrued within five days after the Judgment is rendered

SEC 13 In case where an appeal is taken as provided in the foregoing sections the case shall be tried within ten days after the appeal is taken unless otherwise agreed upon by the parties

NOTICE

SEC 14 Notice shall be considered served when read to the party or parties or by leaving a copy of the same at their usual place of residence when not to be found within the district

SEC 15 Attachment shall be considered served by being read to the parties together with a list of the property attached and in case the party or parties cannot be found in the district by leaving a copy of the same at his or their usual place of residence

SEC 16 All executions issued from the Miners Court shall be made returnable in twelve days from their date and the constable shall enter on each execution the day and hour of receiving the same and return the said exicution within the said twelve days whether satisfied or not with his official acts endorsed thereon

SEC 17 Any property sold under execution shall be advertised by posting notices in three conspicuous places in the district at least five days before the day of sale Said notices must designate the day and hour of the sale together with a description of the property to be offered for sale The constable may adjourn the sale to some future day within the time specified for the return of the execution provided there are no bids or the bids are unreasonable low Notice of such postponement shall be given during the hours of sale

PUBLICATION

SEC 18 When suit is instituted against any person who is absent from or a non resident of this district service may be had by posting notices or copy of the summons in three conspicious places in the district at least ten days previous to the day of trial A copy of one of said notices shall be sworn to by the constable who posted the same stating when how and where he served the same which shall be filed with the papers in the case

JUDGMENTS

SEC 19 When Judgments is rendered on publication as provided in the foregoing section the party defendant shall be entitled to a new hearing in said cause within sixty days after the rendition of said Judgments by paying all costs and showing to the satisfaction of the court that Justice has been done him in the Case and in case the Judgment is reversed he shall be entitled to recover any real estate claim or their value which may have sold under execution and such Judgment

EQUITY

SEC 20. The Miners Court shall have equity Jurisdiction And shall be governed by common law rules of equity provided either party shall have the right to trial by Jury, and provided either party shall show to the satisfaction of the court that he cannot obtain Justice under the rules of law

EXEMPTION

SEC 21. There shall be exempt from levy and sale on execution the following articles which are necessary for present use by the defendant Mining tools bedding Clothing Cooking utensils and necessary provisions for three months and in case a man with a family residing in the district a dwelling house not exceeding three hundred dollars in value And the lot on which the same is situated together with such articles of household furniture as are strictly necessary, provided that nothing in the foregoing section shall apply to Judgment recovered for wages or labor performed prior to this date

REDEMPTION

SEC 22 The defendant in any cause on which suit is not already entered shall have the right of redemption on any claim sold under execution before the first day of June 1862 provided that such defendant shall on or before the first day of June 1862 pay to the court for the benefit of the purchaser the amount of the purchase money together with interest at the rate of five per cent per month

CITIZENSHIP

SEC 23. Any person owning a claim or working or living in this district shall be entitled to a vote and to all the rights of citizenship

CHAPTER 6—CRIMINAL LAWS

SEC I Any person guilty of wilful murder upon conviction thereof shall be hung by the neck until he is dead

SEC 2. Any person guilty of manslaughter homicide shall be punished as a Jury of twelve men may direct

SEC 3. Any person shooting or threatening to shoot another or using or threatening to use any deadly weapons except in self defence shall be fined in a sum not less than fifty nor more than five hundred dollars and receive in addition as many stripes on his bare back as a jury of six men may direct and be banished from the district

LARCENY

SEC 4. Any person found guilty of grand larceny shall be fined in the sum of double the amount stolen and such other punishment as a Jury of six men may direct

SEC 5. Any person found guilty of grand larceny in a sum of double the amount stolen and recieve not less than fifty nor more than one hundred lashes on his bare back and banished from the district and such other punishment as a Jury of six men may direct

FORGING

SEC 6. Any person found guilty of forging deeds transfers bills of sale or Jumping claims legally held under record defacing names or removing stakes from their proper places shall pay a fine of five dollars for each offence and double the amount of damages sustained by the injured party said damages to be determined by a Jury of six men

SEC 7. Any person who shall cause or commit any nuisance affecting or liable to affect the health of the people of this district upon conviction thereof shall pay a fine not exceeding one hundred dollars to be determined by a Jury of six men, and remove such nuisance within twenty four hours

SEC 8 Any person convicted of causing a nuisance and failing or refusing to remove the same shall suffer the same penalty for each succeeding twenty four hours as is prescribed in section seventh and such other punishment as the Jury may direct

SEC 9 All and every offence not enumerated in the foregoing section shall be determined by a Jury of six men and punished as they may direct

SEC 10 Any theft not exceeding ten dollars in value shall be deemed petit larceny any theft over that sum in value shall be deemed grand larceny

SEC 11 No person shall be allowed to cut and carry out of this district logs or timber of any kind except sawed lumber and any person violating the spirit of this act shall be adjudged guilty of misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars such fine to be collected in the same manner as other Judgments

SEC 12. Any person who shall will fully or maliciously set out any fire in this district or without this district so that it shall come into this district and destroy any timber or property he shall be guilty of misdemeanor and upon conviction thereof shall be punished as the court may direct nothing herein shall be construed so as to invalidate the civil rights of parties

No person shall be allowed to cut more timber than he wants for his immediate use

CHAPTER 7.—CLAIMS DEFINED

SEC 1 The term claim as used in this district shall be construed to mean when applied to a lode one hundred feet extending the length of the same when applied to gulch one hundred feet up and down and from bank to bank, when applied to patch or placer diggins one hundred feet square when applied to tunnel claims the entire distance intended to run the same for discovery purposes as shown by the record and Stake at mouth of tunnel When applied to mill or water priviledges three hundred feet on the gulch and two hundred feet across

All building lot taken after the 11th day of September 1861 shall be 50 feet and one hundred feet back

When applied to ditch claims the entire distance staked out which they intend to run the same or shown by the survey and stakes When applied to gulch Claims one hundred feet up or down the gulch and from bank to bank

SEC 2 All lode claims when recorded shall be held as real estate

SEC 3 No person shall hold more than one patch placer gulch or bar claims except by purchase or discovery they shall be held as Real Estate

SEC 4 All purchase Claims when recorded shall be held as real estate

SEC Any person shall be entitled to hold one claim on each quartz lode and as real Estate by Recording the same and no more except by purchase or discovery

SEC 6—Any person discovering a quartz lode by recording the same may hold as real estate the discovery and one other claim by preemption on said lode

SEC 7 All lode claims shall terminate in the center of spring Gulch

SEC 8 When lode claims extend through bar claims the first claim recorded shall hold both

SEC 9 All recorded preemptions for water Claims for mill priviledges and purposes shall be held as real Estate subject to gulch mining

SEC 10 Any persons owning a quartz mill or claims on which they are preparing to place a mill shall have the right to cut or construct a race flume or ditch to convey water to such mill over any claim road or ditch Provided the water shall be so guarded as not to interfere with vested rights priority of claim to be in every case respected

SEC 13 The discovery hole shall be considered in the center of the discovery Claim unless specified to the contrary on the record

SEC 14. No person shall be allowed to mine under any building or other improvement unless they first secure the parties owning such improvements against all damages except by priority of claim

SEC 15 All mining Claims must be recorded

SEC 16 All deeds bonds contracts bills of sale or instruments of any kind relating to the conveyance of claims shall be witnessed and must be recorded within twenty days to be held as valid against creditors or subsequent deeds of grantor

SEC 17 Preemptions on lodes which run into each other shall be governed by priority of record

SEC. 18. In all cases where parties shall have complied with the law as far as possible priority of Claim when honestly carried out shall be respected

(Across the face:) Stricken out.

CHAPTER 8—TUNNEL LAW

SEC I Any person or Company locating a tunnel claim in this district as hereinafter provided shall be entitled to preempt one hundred by two hundred feet of ground as surface claim at the starting point for tunnel purposes and deposits

SEC 2 Any person or company running a tunnel under this law shall be entitled to four hundred feet and no more upon any lode which may be discovered in said tunnel two hundred feet of which may be taken on each side of center line of the tunnel claim Provided such lode has not been discovered and claimed prior to the discovery in the tunnel provided also that such discovery be preempted and recorded as other claims

SEC 3 Any person or company locating a tunnel as aforesaid shall be required to commence work on the same on or before the first day of June Eighteen Hundred and Sixty two in which months he or they shall be required to perform fifty dollars worth of labor upon said tunnel after which he or they shall be required to perform at least three months work for one laborer in each six months upon failing to comply with any of the requirements in this section the right to such tunnel claim shall be forfeited

SEC 4 All tunnel claims shall be staked at the starting point in the center upon which stake shall be written the direction and terminous of said tunnel together with the name of the owner or owners

SEC 5 Any person or company running a tunnel under this law shall have the right to cross any lode on the line of said tunnel provided the amount of quartz taken out of such lode shall not be more than is necessary to cross said lode At right angles the size of said tunnel at smallest place

SEC 6 Any person or Company running lode claims through which a tunnel under this law may pass shall have the right either in person or by their agent to inspect such lode claim in said tunnel at any time they may desire

SEC 7 When any person or company claims to have discovered a new lode in their tunnel and said lode is claimed by prior discovery it shall devolve upon the tunnel owner to show that his is a new discovery

SEC 8 All persons owning lode claims shall have the priviledge to work the same by tunneling or otherwise and to deposit quartz either by slide or tram way at the point most convenient for them on any grounds claimed under law for surface deposits Provided they do not deposit quartz or place any obstructions nearer than twenty feet from the center of mouth of said tunnel

SEC 9 Any and all laws conflicting with the foregoing are hereby repealed provided that nothing herein contained shall be so construed as to interfere with rights acquired under a previously existing laws

OFFICE OF THE PRESIDENT OF CORAL DISTRICT
Aug 9th 1861

I hereby certify the foregoing is a true copy of the revised laws of Coral District as passed at legally called meeting on the first day of July A. D. 1861

Given under my hand the day and date first above written

Attest

H PEFLY *Secretary*

CORAL DISTRICT *Sept* 11th 1861

The meeting was called to order pursuant to notice given by appointing S F McGowen Chairman J T Hockworth & H Pefly Secretary

Mixt in order was reading the laws of Coral District The secretary on motion of C F Frizell The South West boundary were as follows Coral District line shall extend due south west of the line between Coral and Jackson Districts until it reaches a paralell line with the north branch of Chicago Creek Thence up the center of said branch to the Trail Creek District Line

(Carried)

J T Hockworth moved that person be allowed to cut more timber than he wants for his immediate use

(Carried)

R Smith moved that the Judge qualify the president and that the president qualify the Judge Constable and Recorder and that the president qualify the succeeding officers

(Carried)

SUMMIT COUNTY.—LONG ISLAND MINING DISTRICT.

GOLD RUN *July* 27th 1861

CONSTITUTION AND BY LAWS OF LONG ISLAND DISTRICT

ARTICLE 1st The boundaries of this district shall be as follows: to wit: commencing at the lower end of mou——— claim No ——— below discovery Claim on Gold Run; running thence to the summit of the mountain between Gold Run and Delaware? gulches thence with the summit of said mountain to the head of Gold Run; thence on the summit of the mountain separating Gold Run from French and Gibson gulches to a point opposite claim No. 4 below discovery on Gold Run thence to the place of beginning.

ARTICLE 2d The officers of this district shall consist of a President, Recorder Justice and Sheriff to be elected by the legal voters of this district. They shall hold their offices for the term of one year and until their successors be elected and qualified

ARTICLE 3d The duties of the Justice of the Peace shall be the same as defined in the statute of the State of Iowa. and his jurisdiction the same except where the by laws of this district may be in conflict with the statute of Iowa

ARTICLE 4th It shall be the duty of the president to preside at all miners meetings—to preserve order; to decide all questions of order and in case of a tie vote give the casting vote He shall also act as an appellate court and a court of original jurisdiction and his practice shall be the same as governs in a justice's court and his decisions or the decisions of a jury under him shall be final etc etc.

* * * * * * * *

Officers of this district * * * shall each take and subscribe an oath to discharge their several duties faithfully.

Mining claims in this district shall be one hundred feet up or down the main gulch as the case may be and one hundred and fifty feet in width measuring from the centre of the general course of the gulch. Bank claims 100 feet square and Lode claims 100 feet square measuring from the center of main crevice or lode. No person shall have a right to hold more than one gulch one bank and one lode claim on any gulch or lode in this district by preemption, except discoverers who may hold a discovery claim on any gulch or lode he may discover.

Every owner of a mining claim shall have a right to open a drain ditch for his claim through the claims below.

No person shall take or use water from the main gulch to the injury of miners at work on the main gulch

All gulch claims in this district shall be represented by at least one days work upon the claims owned each week; but where a number of claims are owned by an individual or a company at work in the gulch work done by said individual or Co. upon any one of said claims shall be deemed a good and sufficient representation for all said claims

None but actual resident miners of this district shall be entitled to vote at any miners meeting or any election or to serve as jurymen

These laws are to take effect and be in full force from and after their adoption

SUMMIT COUNTY.—QUARTZ MOUNTAIN MINING DISTRICT.

Pursuant to a call of those interested in the discovery of the lodes in the range west of Breckenridge and East of Ten Mile creek a meeting was held at Breckenridge Aug 25. 1861.

John. S. Adair was elected Prest and E D. Leavitt Secretary.

The object of the meeting having been stated to be the formation of a mining Dist the Prest appointed C. R. Bissell J. Crissman and Thomas Burns a committee to draft laws and make nominations of officers of the district.

The committee submitted the following resolutions for the consideration of the meeting.

1st *Resolved* That this district shall be called the Quartz Mountain Mining District

2d *Resolved* That the boundaries of this District shall be a line on the East parallel with and ½ a mile west of Blue River and on the West Ten Creek. The south line to commence at a point on Cataract Creek ½ a mile west of Blue River thence up said creek to its head thence due west to Ten Mile Creek. The North line to commence on Iowa Gulch ½ west of Blue River thence up said Gulch to its head thence due west to ten mile creek

3d *Resolved* That the size of a lode claim shall be 100 feet along said lode and 50 feet each side of the centre of said Lode claims except the discovery claim which shall be 200 feet in length on such lode.

4th *Resolved*, That a water claim shall considered as 250 feet along any water course in this district

5th *Resolved* that any person may be entitled to one preemption claim on each or every Lode in this district and that the person making the discovery is also entitled to a preemption claim aside from the discovery and any person can hold as many claims by purchase as he pleases.

6th *Resolved* That J. S. Adair be elected Pres. and E. D. Leavitt Recorder for the ensuing year

7th *Resolved* That the Recorder receive one dollar for recording each claim

8th *Resolved* That the claims when so recorded shall be held permanently as Real Estate.

9th *Resolved*, That at the request of any five claim holders the Recorder shall call a special meeting of the district.

The foregoing resolutions were unanimously approved by the meeting

E. D LEAVITT *Rec*

SUMMIT COUNTY.—POLLOCK MINING DISTRICT.

ORGANIZATION, PROCEEDINGS, LAWS AND RECORDS OF POLLOCK DISTRICT SITUATED ON THE HEAD WATERS OF THE BLUE RIVER FIRST MEETING

At a meeting pursuant to a call posted Sept 11th 1861 for the purpose of organizing and adopting a code of laws and electing officers for the district; D. S. Beatty was chosen President and I. J. Pollock Secretary

PREAMBLE AND RESOLUTIONS OFFERED BY DOCTOR POLLOCK.

Whereas we the miners in this vicinity have been working upon lode and gulch claims for the past three weeks and finding no officers or laws to protect or govern us, therefore be it

Resolved That we do now organize ourselves into a district to be called Pollock District and its boundaries to commence on the east at the junction of this gulch with Hoosier gulch, running thence to the summit of the range on the North following said summit west to the summit of the dividing range at the head of the creek; thence southerly to center or summit of the range south; thence East following the Hoosier gulch district opposite the place of beginning—And that we claime all the territory intervening the above described points.

The motion being put was carried.

Motion that a committee of three be appointed to draft laws and report at 2 o'clock P. M.; carried

Messrs Bently, Melrase and Cadwell were appointed said committee;—

Motion to adjourn until 2, o'clock P. M. carried.

Meeting called to order at 2 o'clock P. M. and the committee on by laws submitted a report, when the following was adopted

SECTION FIRST *Resolved* that the officers of the district shall consist of President, Recorder and Sheriff.

SECOND It shall be the duty of the President to call all meetings and preside over the same when legally called by three or more notices or residents of the district; and to act as judge of the miners court

It shall be the duty of the Recorder or Secretary to record all claims or instruments subject to record and said record book shall be open to inspection to whom it may concern

It shall be the duty of the sheriff to serve all papers issued by the President, and summon all jurers and witnesses.

ARTICLE THIRD *Resolved* that the fees of the President shall be for calling meetings and presiding over the same two dollars ($2.00) to be paid by the applicant and for all suits or matters of difference between parties as justice of the Peace shall be the same as allowed by the statute of Colorado Territory

The fees of the Secretary shall be fifty cents for recording claims upon lode gulch, bank or hill and one dollar ($1.00) for deeds contracts or other papers.

The fees of (the) Sheriff shall be the same as allowed by the statute of Colorado Territory

SECTION FOURTH *Resolved* that all claims shall be recorded and no claims shall be taken by proxy from this date.—that all claims taken and recorded shall hold good as real estate, until the 15th of June next 1862—and all certificates must be taken out of records within five days after filing or they will be forfeited and open for preemption

ARTICLE 5th *Resolved* that all lode claims shall be one hundred feet in length and twenty five feet on each side of the crevice;—gulch patch or placer mines shall be one hundred feet square

Water claims or mill sites shall be two hundred and fifty feet up or down the gulch or streame; and shall number from stake opposite cabin.

Ranch claims shall hold only by actual possession except only in the winter months.

SECTION 6th. The officers shall hold their offices until the 15th day of June 1862 when an election shall take place, for annual officers.

SECTION 7th. *Resolved* that no lode claims or lode can be claimed more than 1000 feet each way from discovery claime.

SECTION 8th. *Resolved* that the Recorder shall record one claim on each and every discovery hereafter until the fifteenth of June next as a bonace for the first cord of quartz worked in the district

P. Williams was elected President Joseph Pollock Recorder; Peter Dane Sheriff according to a notice posted for a meeting to be held at Recorder's office in Pollock District October the 17th 1861

Mr President Williams called the meeting to order.

Motion made by Mr Cotton

That whereas of the inclemency of the weather and as yet no wagon road exist into the district it becomes the duty of the present meeting that when they do adjourn they do so to meet again the 15th day of June 1862 when all persons holding claims in the district can be present to represent their claims;

Carried

Motion by Cotton that this meeting do now adjourn; Carried.

JOSEPH POLLOCK, *Recorder.*

POLLOCK DISTRICT *October* 16th 1861

POLLOCK DISTRICT *October the* 23*d* 1861

At a meeting called for the purpose of receiving the resignation of officers and electing to fill vacancies; it was

Resolved that the resignation of Philip Williams as President of the district and Joseph Pollock as Recorder be accepted.

J. M. Cotton was duly elected to fill vacancy as Recorder of the district and Capt Ira F. Payson was elected President, etc

Motion to adjourn; Carried

P. WILLIAMS, *President.*

JOSEPH POLLOCK, *Recorder.*

POLLOCK DISTRICT *June* 15th 1862

Meeting called to order, J. L. Lewis in the Chair, Rec Secretary

Upon motion of Judge Bissel, the former minutes of the district was read; they were unanimously adopted.

Motion of J. M. Cotton

That all claims represented in this district on the 15th day of June 1862 be hereafter held as real estate also all claims hereafter taken in said district

On motion of Cotton all mining claims not represented on the 15th June 1862 be open for preemption; carried.

Motion of J. M. Cotton that a committee be appointed to revise the laws of this district and that they be instructed to report in one hour; carried.

The Pres appointed M. Brady Mr Ware, W. H. Nichols, said committee

The meeting adjourned to await the report of said committee;

Meeting again called to order;

Committee reported an amendment to article fifth which was warmly discussed resulting in the rejection of the amendment and a new amendment offered by Canada McCullough, substituted simply adding "including all dips and angles"—the article reading the same with this exception.

The following resolutions were also offered by the committee and were unanimously adopted

Resolved that all water claims not improved by the tenth day of August 1862 to the amount of fifty dollars ($50.00) the same to be adjudged by three disinterested persons—shall be open for preemption.

Resolved that all claim holders in this district pay J. M. Cotton the Recorder 20 cts for all claims filed in the County Clerk's office

Resolved that all lodes discovered after this date, shall have a well defined crevice before being placed on the book of record for Pollock District, and that said discovery be marked by a plain stake

Further resolved that all persons representing claims on this day shall file their names in the Recorder's book of this district.

Motion of Mr W. Curtis that all records of the district be filed in the County Clerk's office by the recorder of this district agreeable to the laws of this territory;—carried on motion of B. L. Smith.

Canada McCullough was duly elected Pres for the ensuing year

On motion W. Curtiss, J. M. Cotton was elected Recorder.

On motion the meeting adjourned

J. M. COTTON *Rec.*

SUMMIT COUNTY.—MANASATIA MINING DISTRICT.

OCT, 1861

Meeting called by the president of the Manasatia District

Organized and elected R. Falker as secretary of the meeting. * * *

All claims held by the miners of this district shall hold good either by the holders of the claim or by the power of attorney.

All officers holding office at the present time shall hold the same until the first Oct next 1862

And the above laws shall remain good without repeal until the first of May 1862

SUMMIT COUNTY.—JOE DAVIS DISTRICT.

CONSTITUTION AND BY LAWS OF GALENA GULCH

Preamble.

Whereas on Friday March 28th 1862, Alexander Hamilton then acting as President of Galena Gulch, virtually refused to call a meeting of the miners of said gulch for the purpose of electing a new Recorder and attending to other business when so requested and whereas on being again requested to call said meeting on Sunday March 30th 1862, he refused to give any satisfaction as to whether he would call a meeting or not and did not put up any notices of a meeting until after other notices had been posted by the miners themselves and whereas the miners of said gulch are convinced that at the regular election held on Tuesday the fifth day of November A. D 1861, fraud and illegal votes were made use of to elect the officers and whereas at etc

Alexander Hamilton acting as President refused to put a motion to the house etc etc and whereas Alexander Hamilton acting as President refused to declare the office of Recorder vacant etc etc

Resolved That we the miners of Galena Gulch utterly repudiate the last election of November 1861

Resolved that the following Constitution and by laws shall for the future govern our proceedings and regulate our interests in all matters of business pertaining to this gulch

Constitution

Having set forth in the preamble a few of our grievances suffered since the establishment of this Dist and having no confidence in the will of the President Mr Alexander Hamilton to rectify existing evils; we the miners of Galena Gulch do hereby agree to throw off all allegiance to the heretofore existing laws and officers and to be governed only by the following by laws and the officers who may be elected under them.

ART. 2. The name of this District shall be Joe Davis District and name of this gulch shall be Galena Gulch

ART. 3. The boundaries of this district shall be as follows, to wit; on the north by Swan river; on the East from a point on Swan river at the North West corner of Canada District; thence south along the ridge of the mountain dividing Joe Davis from Canada District to Lincoln District; thence west along the dividing range between French Gulch and Galena Gulch to a line parallel with the eastern boundary of Pleasant Park District; thence North along the eastern boundary line of Pleasant Park District to Swan river

ART. 4th. The officers of this district shall consist of a President and Recorder who shall hold their respective offices for the term of one year

ART. 5th. It shall be the duty of the President to call meetings at any time when so requested by five actual miners He shall preside at all such meetings rule in regard to all points of order and shall give a casting vote only in such cases as where a tie may exist

ART. 6th. All cases of dispute arising in regard to claims shall be referred to the President from whose decision an appeal may be had to a jury of six which action shall be final

ART. 7. It shall be the duty of the Recorder to act as secretary at all meetings keeping a faithful record of the minutes in a book provided by him for such purpose. He shall also record all claims preempted, deeds or releases, mortgages, articles of co partnership &c that may be brought to him for record

ART. 8th. The fees of the President shall be as follows to wit; for calling and presiding at any meeting of the miners $2.50; for issuing any papers required in a suit the same fees as are allowed justices of the peace in this county and for trying any case three dollars

ART. 9th. The fee of the Recorder shall be for recording all preemptions, deeds, leases, articles of co partnership & mortgages and other instruments of writing the sum of one dollar.

ART. 10th. No person shall be considered a legal voter at any election or meeting of the miners in this gulch unless he holds a bona fide working interest in the gulch or shall have been a resident of this gulch for at least thirty days

ART. 11th. Claims must be represented by actual labor at mining in the gulch at least once in each three days; any person holding more than one claim in the gulch represents his entire interest by working upon any claim in the gulch as above and companies owning claims may represent them by leaving one partner at work in the gulch for mining purposes.

ART. 12th. All claims shall be in size as follows, to wit; extending one hundred feet up and down the gulch and two hundred feet each way from the center at right angles across the gulch subject to the original survey.

ART. 13. No deeds preemption, mortgage leases, articles of co-partnership or contract shall be considered valid unless the same shall have been filed with the Recorder for record.

By laws of Galena Gulch

SEC. 1st. The President and Recorder of this gulch may at any time be removed from their offices upon showing neglect of duty or incompetency by a majority vote of the actual miners of the gulch.

SEC. 2d. If at any time fraud or illegal voting be shown to have occurred at an election the same may be set aside and a new election held.

SEC. 3d. Any person whose vote shall be challenged at the polls who shall refuse to satisfy the judge of election that he is a bona fide voter shall be denied the privilege of casting a vote.

SEC. 4th. Any article of the Constitution or by laws may be repealed or amended at any regular meeting of the miners by a majority vote of the legal voters present and any additions may be made to the Constitution or by laws by a majority of the legal voters of the gulch.

CLEAR CREEK COUNTY.—PAYNE BAR MINING DISTRICT.

A meeting of the citizens of Paynes Bar was held this evening April 12th 1862 Hugh Marshman was called to the chair

On motion

Resolved that all town lots that are not improved according to the laws of this district be declared forfeited

On motion

Resolved that a committe of three be appointed to draft a new code of laws for this district

The chair appointed Judge Cross D B French and N T Bangs to said committe the said committe to report at an adjourned meeting to be held on the 14th inst.

On motion

Resolved that the records and laws of this district be filed in the County Recorders office of this County

On motion adjourned to the 14th inst

C. T. POTTS *Secty.*

April 14th 1862 a Meeting was held in accordance with adjournment of last meeting
The committe appointed to draft a new code of laws reported as follows which were adopted

ACT 1. *Be it enacted by the Citizens of Paynes Bar in convention assembled* that there be a board of three Trustees for Paynes Bar appointed who shall be and are authorized to sell convey and transfer all property belonging to Paynes Bar District consisting of town lots goods chattels and effects

ACT 2. *Be it enacted* that said board of trustees shall keep in charge all moneys and effects arising from the sale of said property and dispose of said moneys and effects as the citizens of said Bar shall direct

C T. POTTS *Secty.*

E. T. Cross Hugh Marshman and George Wright was elected to serve as the three trustees

SUMMIT COUNTY.—BEVAN MINING DISTRICT.

AUGUST 21st A. D. 1862

At a meeting of miners held on the ground the day above-mentioned for the purpose of organizing on a lode and also forming a mining district it was moved by John Conners and seconded by Wm Oddy that John J. Morrell be chairman of this meeting; carried

2d. Moved by A. D. Bevan and seconded by Jas Barnes that Geo. Clark be Recorder of this district, carried.

3d. Moved by A. D. Bevan and seconded by John Conners that Jas Barnes be President of this district, carried.

4th. Moved by John Conners and seconded by Jas Barnes that this district be called the Bevan District; carried.

5th. Moved by John Conners and seconded by A. D. Bevan that the first lode discovered in this district be called the Calvin lode carried.

6th. Moved by Geo. Clark and seconded by Jas Barnes that all claims taken in this district be considered real estate from the time of taking; carried

7th. Moved by John Conners and seconded by Geo. Clark that we meet at the house of Geo. Clark one week from to-night at seven o'clock; carried

8th. Moved by John Conners and seconded by A. D. Bevan that the chairman appoint a committee of five to form a constitution of by laws and report the same at our next meeting;—carried

9th. The chairman appointed Calvin Clark, John Conners, Geo. Clark, Jas Barnes & A. D. Bevan

10th. Moved by Geo. Clark & seconded by Jas Barnes that John J. Morell Ins have a claim on the Calvin lode free of expense; carried.

11th. Moved by John Conners and seconded by Geo. Clark, that the Bevan District be bounded on the North by the summit of the mountain on the North side of French Gulch; on the South by the summit of the mountain on the south side of French Gulch; on the East by the lower or western line of Avanleh district and on the west by the Negroe Gulch; carried.

12th. Moved by John Connors and seconded by Wm Oddy that the werd "toking" in resolution "No. 6" be strecken out and the werds "after recording" be inserted in stead thereof; carried.

13th. Moved by John Connors and seconded by Jas Barnes that the proceedings of this meeting be published in the Commonwealth of Denver city; carried

14th. Moved by Geo. Clark and seconded by John Connors that this meeting now adjourn till Thursday night the 28th day of August 1862;—carried.

LAWS OF BEVAN DISTRICT

We the committee appointed by the miners of Bevan District to draft a Code of Laws would respectfully report and recommend the adoption of the following laws to-wit:

ARTICLE 1st. That this District is and shall hereafter be called the Bevan District; (The) boundaries of the said district shall be as follows to-wit;—on the North by the summit of the mountain on the North side of French Gulch; on the South by the summit of the mountain on the South side of French Gulch; on the East by the Western or lower line of Ovalanch Destrict and on the West by a gulch known as the Negroe Gulch.

ARTICLE 2d. All claims now held by parties resident in French Gulch and recorded in the Morrison District records shall be respected and all other claims not so recorded and not represented by the residence of the claimens thereof, shall come under the laws of Bevan District

ARTICLE 3d. That gulch claims in Bevan District shall be 100 feet in length running up and down the gulch and from bank to bank, also bank and placer diggings or claims shall be 100 feet square; and all lode claims in said district shall be 100 feet in length up and down the lode and 25 feet wide on each side of the wall rock of the crevice of said lode after the crevice has been properly defined

ARTICLE 4th. All claims either lode or otherwise in Bevan District must be recorded within ten days from the day of toking said claims; otherwise they are subject to be token up by any other person also every certificate must be paid for upon the filing of said claim; otherwise it is open for any other person to take up the said claim, provided the first taker up of said claim is not at work on the said claim

ARTICLE 5th. Every person may hold by pre-emption one gulch claim, one bank claim, one lode claim on each discovery in Bevan District, also one in all placer diggings and each discoverer shall be entitled to hold one discovery claim on lode or other mines he or they may discover, and no person shall be entitled to hold more than one claim by pre-emption on the same Gulch, Lode, Bank or Placer diggings.

ARTICLE 6th. Any person wishing to put up a Quartz mill for the purpose of crushing Quartz in Bevan District, shall be entitled to 300 feet in length and 200 feet in width in the gulch or on the bank, provided it does not interfere with any miner's rights, and any ground may be taken up for mill purposes that has not been taken up previously for mining

ARTICLE 7th. All lode claims in Bevan District shall be considered real estate provided they are recorded in the office of the Recorder according to the laws of said district

ARTICLE 8th. All claims sold by preemptors or other parties, must be done by a legal transfer and for a valuable consideration, said transfer to be recorded in the office of the Recorder of Bevan District; any claim or claims held by a company legally shall be respected by the company or any member of the company working the said claim or claims or any part thereof

ARTICLE 9th. The officers of the Bevan District shall consist of President and Recorder

ARTICLE 10th. It shall be the duty of the president to preside at all meetings called by the miners and in case of his inability to attend, it shall be his duty to appoint a substitute

ARTICLE 11th. The recorder shall keep a record of all claims recorded also a record of the proceedings of each miner's meeting; said record subject to the inspection of any person or persons at any time, and also shall be the duty of the recorder to post at least three notices in the district previous to any meeting.

ARTICLE 12th. The recorder shall receive seventy five cents for each lode claim and one dollar for every deed, mortgage and liens upon any property whatsoever to be paid for by all persons filing the same and one dollar for recording on all gulch claims, bank or placer diggings and twenty five cents each for staking the same and be compelled to lay off all placer diggings in sections of one thousand feet square.

ARTICLE 13th. The officers appointed by the miners and organizers of Bevan District shall hold their office for one year from this date unless removed for incapacity when other officer or officers can be elected by calling such electors and giving ten days notice thereof; the regular election of officers shall take place on the 28th day of August each succeeding year

ARTICLE 14th. The laws and boundaries of Bevan District shall be recorded in the county Recorders office of this Summit County Colorado Territory.

Approved and adopted by the miners in mass meeting assembled in Bevan District, French Gulch Summit County.

Dated this 28th day of August A. D. 1862

JAS BARNES *Prest.*

GEO CLARK *Rec.*

LAKE COUNTY.—UNION PARK MINING DISTRICT.

ORGANIZATION

At a meeting held at the camp of L. B. Seymour & Co. August 21st A. D. 1862 for the purpose of organizing on a certain Gulch L. B. Seymour was chosen Chairman and A. S. Potter Secretary.

Motion that this gulch be called Union Gulch carried.

Motion that all claims shall extend (100) one hundred feet either up or down the Gulch together together with fifty feet into each Bank. Carried.

Motion that each of the Discoverers viz: L. B. Seymour, N. Armstrong, L. Hill, R. Knight, H. C. Anderson, J. H. Foster, A Halister and D. Collins be allowed a Discovery and a preemption claim. Carried.

Motion that all claims be represented on or before the 10th day of Sept. next Carried.

Motion that all claims now taken shall be recorded by the Recorder of this Gulch on or before the 10th day of Sept. next and all claims taken hereafter shall be Recorded within five day from the time of fileing on the same. Carried.

On motion J. H. Foster was chosen Recorder of this Gulch.

On motion N. Armstrong was chosen President.

On motion meeting adjourned Sine Die.

MINUTES OF MEETING SEPT 10TH 1862.

Meeting was called to order by the President.

On motion the list of claim owners was read.

On motion the proceedings of the organization was read and confirmed.

The following Resolutions read by the President and adopted.

Resolved, that when one partner is absent the other one has a right to represent his interest with hired help in his place

Resolved that any person owning claims in this District may by working on any one of them represent them all, and that any person may work his claim in any manner he may se fit, if he keeps his tailings from troubling any other party.

Articles 1st 2 3 4 5 6 7 8 of the By Laws was read by the President and adopted.

Motion that election of the Recorder at the Organization be confirmed Carried.

Motion to adjourn Sine die.

J. H. FOSTER, *Secretary.*

MINUTES OF MEETING SEPT 30th 1862

Meeting called to order by Pres Armstrong pursuant to order.

Motion that each claim owner shall have a right to throw the striplings of a 12 foot pit across the Gulch onto the claim below Carried. Motion to adjourn Carried.

N. ARMSTRONG, *Pres.*

J. H. FOSTER, *Secy.*

MINUTES OF MEETING NOV. 17TH 1862

Meeting called to order by electing D. P. Sparks Chairman.

Motion that the District be divided at No. 50 fifty above discovery. Carried.

Motion that all claims shall be represented on the 10th day of June 1863 in person. Carried.

Motion by S. Moody that we adjourn till June 10th A. D. 1863 Carried

D. P. SPARKS, *President.*

J. H. FOSTER, *Secy.*

By Laws passed Sept. 10th 1862

1st. This District shall be called Union Park District and shall contain the entire Park.

2d. A Recorder shall be elected and shall hold his Office for the Period of one year from the time of his election.

3d. It shall be the duty of the Recorder to file all papers that may be brought to him for Record, and to record the same in Suitable books for that purpose and he shall during business hours keep his books open to public inspection. It shall also be the duty of the Recorder to act as Secretary at all Public Meetings.

4th. A Miners meeting may be called for the purpose of altering, amending, or repealing the laws by giving five days notice upon the presentation of a petition to the Recorder signed by Ten claim owners of the District, Whereupon the Recorder shall post three (3) written or printed notices of the same in three of the most conspicuous places of the district. The Recorder shall keep a strict and correct account of all the proceedings of such meetings which he shall file the same in his Office.

5th. The fees of the Recorder shall be 1^{00} for all ordinary transfers and other instruments of writing and one dollar for all preemptions. For giving abstracts of title without a certificate he shall receive the sum of (25) twenty five cents, but when certificates of title are issued then he shall receive the sum of (50) cents for each title so certified to.

6th. All Gulch claims in this District shall not only run from Bank to Bank but shall run so far into either bank as to embrace the entire Gulch streak, let said streak run where it may.

7th. All persons may hold by pre-emption one Gulch claim, One side or Hill claim, One Hydraulic and one tunnel claim and no man but shall hold by purchase as many claims of any description as they may see fit to buy.

8th. All side or Hill claims in this District shall be (100) one hundred feet square and all Hydraulic and tunnel claims (200) two hundred feet square.

9th. Any person owning claims in this District may by working on any one of them represent them all and that any person may work his claim in any manner he may see fit if he keeps his tailings from troubling any other party.

10th. Each claim owner shall have a right to throw the striplings of a (12) twelve foot pit across the gulch onto the claim below.

SUMMIT COUNTY.—UNION MINING DISTRICT.

THE RECORDS OF UNION DISTRICT WHICH WAS ORGANIZED NOVEMBER 15TH 1862 BOOK A.

By Laws of Union District.

Resolved that the boundary lines of Union District be the extreeme lines of what were formerly the lines of Erie and Long Island Districts.

Resolution adopted.

ART. 1st. Duties of officers.

ART. 2d. ditto

ART. 3d. " "

ART. 4th. Disputes.

In case of disputes arising from the ownership of claims, such disputes may be settled by the President of this district if agreeable with the parties; if not the parties shall have the right of trial by a jury of twelve men who shall be empaneled by the President and each party shall have the right to strike from said jury alternately until the number is reduced to six men who shall try the case according to law and evidence and in either case the decision shall be final

Adopted without amendment.

ART. 5th. The size of all claims in this Dist. shall be as follows Gulch claims shall be one hundred feet parallel with the gulch and seventy-five feet each way from the centre of the gulch. Bank or side claims, Patch and Lode claims shall be one hundred feet square

Adopted without amendment

ART. 6th. All persons shall be entitled to hold by preemption the following number of claims to-wit; one gulch claim; one claim in each side tier; one lode claim and one patch claim

Adopted without amendment

ART. 7th. Any five persons owning mining interest in this district shall have the right to call meetings in case the President neglects or refuses so to do, By posting up notices over their signatures, stating the object of such meeting, in three public places at least three days before the meeting is to convene.

Adopted without amendment.

ART. 8th. All sales of claims must be witnessed by one or more persons and recorded within ten days after purchase in order to be legal

Adopted with amendment.

ART. 9th. All persons or companies holding claims in this district said claims shall hold good until the 1st day of July next Between the 1st day of July and the 15th day of October in each year all persons or companies shall represent their interest in this district by performing one days work in each week in the district; the remainder of the time in each year said interest shall hold good without representation

Adopted as amended.

All citizens of this district or any persons owning mining interests in said dist. shall be entitled to a vote at all meetings.

Adopted without amendment.

ART. 11th. These by laws may be altered amended or repealed by a two-thirds vote of the legal voters of this district

Adopted.

(Signed)

E. CARTER
L. G. TUBBS
J. P. LYNCH
Comme.

The amendment referred to in art 8th is in these words "in ten days after purchase in order to be legal"

In art. 9th inserting the words "in the district"

On motion the action of this meeting be recorded in the Clerks Office of Summit Co and also a copy of the call.

On motion by Mr Webster that the President have the proceedings of this meeting published in the Rocky Mountain News at his own expense.

On motion the meeting adjourned "sine die"

C. KREITZER, *Pres.*

JNO T. LYNCH, *Sec. pro tem.*

LAKE COUNTY.—ARKANSAS INDEPENDENT MINING DISTRICT.

MINUTES OF THE MINERS MEETING JUNE 1ST 1863.

W. D. Burt in the Chair.

On motion of S. D. Breece N. R. Maxey was duly declared elected Recorder until the annual Election of the District.

On motion of L. B. Seymour

All claims above No. 38 above Discovery were declared vacant that were not represented on or before the 7th day of June A. D. 1863.

On motion of Geo. Nesbitt

That all persons should have the right to Ground-sluice in the Centre Ditch, provided that all persons so doing shall keep a rack in their floom, the lines not to exceed two inches apart, and any person or persons neglecting to comply with the provisions of this Act, shall forfeit the sum of five dollars for each day, one half to go to the Complainant the other half to the County.

On motion adjourned for one year.

N. R. MAXEY, *Recorder.*

SUMMIT COUNTY.—SNAKE RIVER MINING DISTRICT.

CONSTITUTION AND BY LAWS OF SNAKE RIVER MINING DISTRICT.

Preamble.

Whereas on the 2d day of August A. D 1863 Henry Barr discovered three quartz lodes which contain gold and which he has severally named the "East" "West" and "Middle" Harrisburg lodes; therefore we the undersigned do hereby organize the locality in which foresaid lodes are situated as a mining district

Constitution

The name of this district which is on Snake river in Summit County, Colorado Territory shall be Snake river district The boundaries of Snake river district shall be as follows—The south boundary commences at a point on the head of a branch of Snake river and near the head of North Swan and runs eastward on the summit of the ridge that divides the waters of the Swan and Snake until it comes to

the range which is the dividing line between Park and Summit counties; it then follows said dividing line to the summit of the ridge which divides the waters of the Snake from those of its north fork; it then follows said ridge to a point at the mouth of North Fork a straight line between the mouth of North Fork and the starting point completes the boundaries.

3. The officers of this district shall consist of a president and recorder who shall hold their respective offices for the term of one year

4. It shall be the duty of the president to call meetings when so requested by not less than four citizens who hold property in the district and he shall also preside at such meetings and also such meetings shall be exclusively for the industrial and property interests of the district

5. The duty of the recorder shall be to act as secretary to all meetings such as above mentioned and to keep a faithful record of the minutes of each meeting in a book provided by him for the purpose; he shall also record all preemptions, deeds, leases, mortgages articles of copartnership &c that may be brought to him for that purpose

6. The fees of the recorder shall be fifty cents for every deed or other instrument which he records

7. The size of lode claims shall be 100 feet horizontal along the crevice and 25 feet from the centre of the crevice on each side.

8. The discoverer of a lode has the privilege of preempting the claim on which he makes the discovery and one more and all others shall preempt but one claim on each lode except when there is a farther extension of a lode discovered in which case said extension comes in as a new lode

9. The discovery of a lode will not extend to more than 21-00 feet along the crevice beyond which there can be no further preemption without a new discovery

10. Claims to the amount above indicated may be taken all on one side or part on each side of discovery

BY LAWS

1. The President and Recorder may at any time be removed from office for reasonable causes by a majority of the voters of the district

2. No non resident can have a vote in the district

3. A majority vote can amend or repeal any article of the constitution or by-laws at any regular meeting of the miners; they can also add new articles by the same process

H. H. RICHARDS	JNO ACHUSTIAN
H. B. TURNER	M. DOUD
W. E. GRINNELL	I. S. HOFF
JOHN STEINBERG	L. HOTST
H. B. HASKELL	H. M. BARR

LAKE COUNTY.—CLEAR CREEK MINING DISTRICT.

LAWS OF CLEAR CREEK DISTRICT.

At a meeting of the Discoverers and Claimants interested in the Clear Creek District Lake County Colorado Territory held on the 7th day of May 1864, John L. Dyer was appointed president and Patrick Smith Secretary.

The following laws and regulations was adopted:

On motion of S. D. Breece the Secretary was requested to procure a coppy of the Laws of Misqueta District, addopted.

A motion that all claims in said District be Recorded in the County record, addopted

Secretary would beg leave to Report the following laws being in part the laws of said Misqueta District

SECTION 1. *Be it enacted by Claimants and minors of Clear Creek District,* That the boundary of said District shall be known and defined as follows commencing at the Georgia Bar Hill two miles South along the Arkansas River thence West along the summit of the mountains to the head of Clear Creek, thence north to a point west of Lost Cannon thence east to the line of Hope District thence along said line to the Clear Creek divide thence along the ridge to the Georgia Bar Hill the place of beginning.

SECTION 2. *Be it enacted by the miners and Claimants of Clear Creek District* that there shall be elected the first Monday in June in each year after the first year a president and Secratary of said District who shall serve as such until their successors are elected and qualified in case of the death or resignation of either of said officers the survivors may uppon application of any five of the miners or clainants of said District in writing after five day notice posted in three of the most public places within said District order an election to fill said vacancy.

SECTION 3. *Be it enacted* that the duty of the president shall be to preside at all public meetings pertaining to the business of said District to call meetings upon the application in writing of any five miners or Claimants of said District and to perform such other duties as may be required of him by the Laws of said District.

SECTION 4. *Be it enacted* that duties of the Secretary shall be to keep accurate minutes of the meetings of the district, post notices of the same when required to do so and perform such other duties as pertains to his office

SECTION 5. *Be it enacted* that the claims in said District shall consist of Lode claims Gulch claims, bank claims, Path claims, and water claims and claims for Mill sites. Gulch claims shall be two hundred feet up and down any Gulch extending from bank to bank. Bank claims shall be two hundred feet square and water claims for Mill sites shall extend a sufficient distance along any stream to give a head twenty feet and sufficient fall for a ditch to convey said water.

SECTION 6. Each discoverer shall be intitled to one mining claim by discovery and one by pre emption on each discovery made in the District

SECTION 7. Claims to be valid must be recorded. Gulch pach and Bank claims must be recorded in the District by the Secratary within five days after discovery are made. All transfers of claims to be valid must be recorded as above.

SECTION 8. Each discoverer of a Lode shall have ten days after striking the crevice to file his claims in the County Recorder's office and each discoverer and preemptor after filing as aforesaid shall have thirty days to record the same and unless recorded in that time the same shall be forfeited and subject to pre emption by any other person but no record of any claim shall be valid unless the crevice shall be opened and well defined

Recorded May 18th 1864 at 7½ oclock

S. H. FONTE, *Recorder.*

LAKE COUNTY.—GRANITE MINING DISTRICT.

THE LAWS OF GRANITE DISTRICT

At a meeting of the discoverers and claimants interested in the Granite District, held on the 7th day of May A. D. 1864, G. Sprague was appointed President, W. Christisan Sect'y.

A committee consisting of G Sprague, H. C. Justice, and W. Christisan were appointed to draft a code of Laws for said District and report the same immediately.

In accordance with the duties imposed upon them the committee reported the following acts regulating the the rights of persons and of property, and the manner in which their rights may be preserved.

SECTION 1st. *Be it enacted by the claimants and miners of Granite District* that the boundaries of said district shall be known and defined as follows Commencing opposite the mouth of Lake Creek at a point on the Arkansas River, from thence North East to the top of the Range, from thence following the top of Range South to a point due east of the mouth of Clear Creek, from thence West to the Arkansas River, from thence North following the river to the place of beginning.

SECTION 2nd. *Be it enacted by the miners and claimants of Granite District* that there shall be elected on the first Monday in June of each year after the first year, a President and Secretary of said District who shall serve as such until their successors are elected and qualified. In case of the death or resignation of either of said Officers, the survivors may upon application of any five of the miners or claimants of said District in writing after five days notice posted in three of the most public places within said District order an election to fill said vacancy.

SECTION 3rd. *Be it enacted* that the duties of the President shall be to preside at all Public Meetings pertaining to the business of said District, to call meetings upon the application in writing of any five miners or Claimants of said District and to perform such other duties as may be required of him by the law of said District.

SECTION 4th. *Be it enacted* that the duties of the Sect'y shall be to keep accurate minutes of the meetings of the District; post notices of the same when required and perform such other duties as pertains to his office

SECTION 5th. *Be it enacted* that the claims in said District shall consist of Lode claims, Gulch claims, Bank claims, Patch claims and Water claims, or claims for Millsites. Gulch claims shall be two hundred feet up and down any gulch extending from Bank to Bank

Bank Claims shall be two hundred feet square, and water claims for Millsites shall extend a sufficient distance along any stream to give a head of twenty feet and sufficient fall for a ditch to convey said water.

SECTION 6th. Each discoverer shall be entitled to one mining claim by discovery, and one by preemption on each discovery made in the District.

SECTION 7th. Claims to be valid must be recorded. Gulch, Patch, Bank and Water Claims must be recorded in the District by the discoverer within five days after discovery or claims or all transfers of claims to be valid must be recorded as above.

SECTION 8th. Each discoverer of a Lode shall have ten days after striking the crevice to file his claims in the County Recorders office and such discoverer or preemptor after filing as aforesaid shall have thirty days in which to record the same and unless recorded in that time the same shall be forfeited and subject to preemption by any other person, but no record of any claim shall be valid unless the crevice shall be opened and well defined.

S. H. FONES *Recorder.*

TERRITORY OF COLORADO
County of Lake ss.

I, Thomas Keyes, County Clerk in and for said County in the Territory aforesaid, do hereby certify that the foregoing is a true and correct copy of the Laws of Granite District made A. D. 1864 and placed on Record in this office in Book of Sacramento District. Page 188.

Given under my hand and official seal this July 6th 1868

THOMAS KEYES, *Co. Clerk.*

GRANITE DISTRICT, *Oct.* 5 1857.

At a meeting of the Miners and Citizens of Granite District held at the House of Morgan & Co. on the fifth day of October 1857 A D the following proceedings were had, to wit:

S. B. Kellogg was elected chairman and W. H. Morgan, Secretary.

On Motion the following in regard to Lode Claims was adopted, to wit;

Resolved that no Lode claim in this District shall be held by stake merely, but there shall be a vein of ore defined and persons making a discovery of a Lode shall have thirty days thereafter to define a vein of Ore therein

On Motion the meeting adjourned

S. B. KELLOGG, *Pres.*

GRANITE DISTRICT *April* 13, 1868.

At a meeting of the Miners and Citizens of Granite District held at the house of Morgan & Co on the 13th day of April A. D. 1868, the following action was had, to wit,

On Motion. G. W. Abbey was elected chairman and H. C. Harrison, Sec'y.

On Motion a committee of Three was appointed by the chairman to draft resolutions expressive of the sense of the meeting in regard to the late attempt to jump claims. The chairman appointed C. Morgan, D. Houghton, and W. W. Fletcher said committee.

On Motion J. E. Cobb, Jas. Hutchinson, B. F. Spencer, M. N. Adams, and H. C. Harrison were appointed as a committee by the chairman to draft a constitution and By Laws for the Government of the District

The committee on resolutions reported a set of resolutions which were read and adopted.

On Motion it was resolved that all persons present endorsing said resolutions should subscribe their names thereto which was done

The committee on Constitution and By Laws reported a Constitution which was read and adopted.

On motion the committee on Constitution and By Laws required more time

On motion the meeting adjourned to meet on the 18th of April at the house of Hawkins & Lamb to hear the report of said committee.

GEORGE W. ABBEY, *Pres.*

HENRY C. HARRISON, *Secty.*

GRANITE MINING DISTRICT, *Lake County Colorado. April* 13th 1868.

Whereas, We the Miners of Granite District deeming it essential to take some action to protect our interests and acknowledging the fact that in Union there is strength do hereby organize ourselves together for that purpose, and the name of this Organization shall be called the Granite District Claim association

ARTICLE 1st. All persons who are property holders or residents of the District shall be considered as members of this Organization

ARTICLE 2nd. The President of the District, or in his absence the Vice President or Recorder shall have power to appoint a committee of five residents or property holders of the District as an executive committee, and to fill all vacancies in said committee

ARTICLE 3rd. The executive committee to have power to call a meeting at any time or at any place in the District for the purpose of transacting any business necessary for the protection of the rights of the property holders and miners of said District.

ARTICLE 4th. It shall be the duty of said committee to cause the arrest of any parties found trespassing on any property belonging to any of the members of this association, and bring them before a meeting called to decide the case.

Whereas, Certain parties have been to the County Recorder's office and attempted to claim property belonging to other parties who had them previously recorded according to Laws as they understood it, and have complied with the District Laws so far as was in their power. Therefore be it

Resolved that until said parties relinquish all claims to said property upon the records that we will use all Lawful means in our power to prevent them from geting possession of any property in the District that we hereby forbid them or any of them from coming into the District or attempting to visit therein

Resolved that we publish the proceedings of this Meeting in the Denver papers.

Resolved that all persons present endorsing these resolutions shall subscribe there names thereto

GEO. W. ABBEY, *Prest.*

HENRY C. HARRISON, *Secy.*

Elias F Dyer and 34 others.

CONSTITUTION OF GRANITE MINING DISTRICT.

Whereas, we the Miners of Granite District in Lake county Colorado Territory deeming it necessary for our mutual protection and for the proper development of the county that Laws should be instituted for the guidance and government of said district do hereby institute this Constitution and By Laws.

ARTICLE 1st. The boundaries of said District are hereby declared to be as follows, commencing at a point on the East Bank of the Arkansas River immediately opposite the mouth of Pine Creek, thence running Easterly to the summit of Georgia Bar Range, thence Northerly along the summit of the Range to the head of Union Gulch thence down said Gulch to the Arkansas River, thence down said river to point of beginning.

ARTICLE 2nd. The officers of said District shall consist of a President, Vice-President and Recorder, the term for which these officers shall serve shall be one year or until their successors are chosen and qualified, except the first officers elected who shall serve until the first Monday in July 1869.

ARTICLE 3rd. The regular annual meeting of said District for the election of officers shall be held on the first Monday of July each year

SECTION 4th. The Recorder of said District shall record all instruments filed with him for Record the fees of said Recorder shall be the same as those of the clerk and Recorder of Lake County Colorado.

ARTICLE 5th. All Gulch claims in said District shall be one thousand feet in length, and the entire width of the Gulch and all claims for Gulch shall be worked within one year from Date of Record or will be forfeited.

ARTICLE 6th. No Lode claim shall be held by stake merely; but shall be worked sufficiently to expose a vein of Ore.

ARTICLE 7th. No amendment shall be made to this Constitution except at regular annual meetings and then it shall require a two thirds majority of all the Miners in the District present at the meeting.

Adopted April 13th 1868.

GRANITE DISTRICT *April* 18th 1868.

At a meeting of the miners of Granite District held according to adjournment on the 13th of April to the cabin of Lamb & Hawkins, the following proceedings were had to wit:

Meeting called to order Mr. Geo. W. Abbey in the chair and Jos Hutchinson being appointed Secretary.

Motion made that the proceedings of the last meeting be read.

Motion that they be adopted and made part of the Record. Carried.

Committee on By Laws reported.

Motion made that the Constitution and By Laws be copied by the Recorder and a copy be filed in the County Recorder's Office. Carried.

Motion made that the committee on By Laws be discharged. Carried.

Motion made that the proceedings of the meeting be read. Carried

Motion that the meeting adjourn Sine Die Carried

GEO. W. ABBEY, *Prest.*

JOS. HUTCHINSON, *Secty.*

BY LAWS OF GRANITE MINING DISTRICT.

ARTICLE 1st. It shall be the duty of the President to preside at all meetings of said District, to preserve order, to put all questions to vote, and give the casting vote in case of a tie.

ARTICLE 2d. It shall be the duty of the Vice-President to preside in case of absence of the President and to perform the duties of the same.

ARTICLE 3rd. It shall be the duty of the Recorder to provide a suitable Book, to attend all meetings of said District and act as Secretary of the same to keep a correct record of its proceedings and shall keep his books open for inspection at all reasonable times. He shall appoint a Deputy in case he cannot attend meetings, or wishes to leave the District

ARTICLE 4th. All regular annual meetings of the miners of said District shall be held on the first Mondays of July in each year at which time an election of officers shall be held.

ARTICLE 5th. A called meeting of the Miners of the District shall be held on the written request of Ten miners of the District and it shall be the duty of the Recorder to post public notices in three conspicuous places in said District. At least three days notice shall be given, the parties calling said meeting shall pay said recorder the sum of five dollars for his services.

ARTICLE 6th. All Gulch claims in said District shall be one thousand feet in length and the entire width of the Gulch, and all claims for gulch mining shall be worked within one year from date of record or will be forfeited.

ARTICLE 7th. Any person making a discovery in this District shall have thirty days thereafter to define a vein of ore and Record the same.

ARTICLE 8th. No association or Company shall hold more than three thousand feet on any one Lode and said three thousand feet shall run fifteen hundred feet each way from discovery, and no one person shall be allowed to pre-empt more than two hundred feet on any one Lode, except the discoverer who shall be allowed an additional two hundred feet by right of discovery.

ARTICLE 9th. No Extention of Lode claims can be legaly Recorded until a discovery of said extention is made and section seven of these By Laws complied with.

ARTICLE 10th. All Miners pre-empting Lode claims under these By Laws shall be entitled to twenty five feet of surface ground on each side of said Lode for working purposes. Priority of claim when holden according to law shall be respected.

ARTICLE 11th. Any person or Company intending to erect a Quartz mill may select and locate three hundred feet square for a Millsite which shall be recorded in the District record. He may also claim right of way to bring water power to said Mill from any point if not interfering with vested rights.

ARTICLE 12th. Any person may pre-empt by recording with the District Recorder fifty feet front and one hundred feet deep for a building lot, but shall not secure the same against being used for mining if found to be rich any person working the ground on which a house stands shall secure the house against damages, no person shall be allowed to hold lots without building on the same.

ARTICLE 13th. The discoverers of each lode within this district shall place a post firmly in the ground at least three inches in diameter at the discovery hole with the name of the discoverer name of Lode, and date of discovery marked plain thereon.

ARTICLE 14th. All Hill and Patch claims shall be five hundred feet square for surface mining.

ARTICLE 15th. No amendments shall be made to these By Laws except at regular annual meetings and then it shall require a two thirds majority of all the miners of the District present at the meeting.

Adopted April 18th 1868.

GRANITE DISTRICT, *July* 6th 1868.

At a regular annual meeting of the Miners of Granite District held at the cabin of Lamb and Hawkins the following proceedings were had to wit:

Meeting Called to order. Mr. Fletcher in the chair.

Motion that the minutes of last meeting be read and adopted. Carried.

Motion that article seven of the By Laws be amended, a substitute was adopted.

Motion that Mr. Houghton's Resolutions be made part of the By Laws. Adopted.

Motion that "then" and "two thirds" be stricken out of the Constitution and By Laws. Motion lost.

Motion that the meeting adjourn to meet at this place Sat. July 18th at 4 o'clock p. m.

Motion carried.

W. W. FLETCHER, *President.*

B. F. SPENCER, *Secty.*

TERRITORY OF COLORADO

County of Lake s. s.

At the regular annual meeting of the Miners of Granite District held in said district at the House of Hawkins & Lamb on the 6th day of July 1868 the following articles in relation to Lode Claims were adopted as addional and supplementary to the By Laws of the District

ARTICLE 1st. Whereas it having been the General custom of the Miners of this district since the passage of the act of Congress approved July 26th 1866, to record their Lode property according to said laws under the construction put upon the same by Commissioner Wilson. Therefore

Resolved that all Lodes so recorded are hereby confirmed and made Legal giving to the owners thereof the right to claim and hold the same according to the record, provided they have otherwise complied with Local Laws of the district in relation to defining crevice and working the same.

Adopted July 6th 1868.

GRANITE DISTRICT *July* 18th 1868.

According to adjournment on the 6th of July the meeting was called to order and M. N. Adams appointed chairman pro tem.

Motion that the minutes of the last meeting be read and adopted. Adopted.

Motion that the meeting adjourn Sine die. Carried.

M. N. ADAMS, *Pres Pro tem.*

B. F. SPENCER, *Secty.*

LAKE COUNTY.—RED MOUNTAIN MINING DISTRICT.

At a meeting of the Miners & Citizens of Red Mountain Mining District, held at the Forks of the Lake Fork of the Arkansas River, Lake County, Colorado, Territory, at 2 o'clock p. m. July 9th 1864, Geo W. Lane was chosen President and C. P. Slade was chosen Secretary, and on motion of J. Sears, H. J. Rodgers, H. R. Hunt, & H. Earl were appointed a Committee to present to the meeting Laws and Regulations for the government of the District

The committee retired and on motion of J. Johnson the meeting took recess of two hours to enable the committee to report

Four o'clock p. m. July 9th 1864 the committee by H R Hunt their Chairman presented the following Report to the meeting

Your committee report the following Laws & Regulations and recommend the adoption of the same

LAWS OF RED MOUNTAIN MINING DISTRICT.

SECTION 1st. That portion of Lake Creek commencing at the lower Main Fork & taking Two Miles on either side to the head of the same, or to the top of the main divide shall be knowned as the Red Mountain Mining District.

SECTION II. There shall annually be elected in said District a President & a Recorder whose duties shall be the same as like offices in other mining Districts in Colorado Territory.

SECTION III. Every person Discovering a Lode shall be entitled to hold two hundred (200) feet in length and Fifty (50) in width on the Lode as a Discovery claim and one hundred feet in length & fifty feet in width on the Lode as a pre-emption claim, and all persons shall be permitted to pre-empt and hold one claim by pre-emption on each Lode in the District.

SECTION 4th. Every person shall have the right to take up and preempt three hundred (300) feet square as a mill privilege or site on any Creek or Gulch in said District, and also a Building Lot forty (40) feet front by one hundred (100) feet deep, and all claims, Mill Claims, or Building Claims when taken and Recorded according to the laws of this District and the Laws of Colorado Territory shall be held as Real Estate,

And on motion of Cyrus Sloan, the said laws so reported were taken up Section by Section, passed and adopted as the Laws of Red Mountain District.

Whereupon an Election was held and Geo. W. Lane having received all the votes cast for President of Red Mountain Mining District was declared duly elected to that office. Chas. P. Slade and Wm H. Morgan were nominated for the office of Recorder & Chas. P. Slade having received a majority of all the votes cast was declared duly elected to the Office of Recorder of Red Mountain Mining District.

I, Chas P. Slade, Recorder of Red Mountain Mining District do certify that the foregoing is the true laws & Records of the Red Mountain Mining District

July 13th '64

C. P. SLADE *Recorder.*

Meeting of Miners and Citizens of Lake Center and Red Mountain Districts. W. Londoner appointed Chairman
G. Leonhardy " Secretary

Mr. Morgan offered a resolution

That Lake Center and Red Mountain Districts shall be consolidated into one district to be named Red Mountain District said District to be subject to the same Laws and regulations which regulate Red Mountain District.

Which resolutions were unanimously adopted.

Resolved that the same shall be published in the Denver News and the Mining Journal.

Meeting adjourned on motion.

G. LEONHARDY, *Secty.*

ORO CITY *Oct.* 2nd 1865

LAKE COUNTY.—LITTLE GROVE MINING DISTRICT.

LAWS.

ORO CITY, *Sept.* 23*rd*, 1864

At a meeting held at the Recorders in said City S. D. Breece was elected President and Geo Henderson Secretary The said meeting was for the purpose of forming a new District in Lake County Colorado Territory, said District on motion to be called Little Grove District.

On motion the boundaries of the above District to be as follows—

Boundr'ds on the North by the summit of the divide between Evans and Birdseye Gulches, on the East by the summit of the Range, on the West by the Junction of the main branches of Evans Gulch, on the south by the Divide between Evans Gulch and Iowa and California gulches all situated in Lake County Colorado Territory.

On motion

Any person discovering a lode shall be entitled to one hundred feet in length and fifty feet in breadth on the Lode as a Discovery

claim and one hundred feet in length by fifty feet in width as a preemption claim, and all persons shall be permitted to hold one claim by preemption on each Lode in the District.

On Motion that the above Laws be adopted motion carried:
On motion that the above Laws be recorded in the County Records Motion carried.
On Motion to adjourn carried.

S. D. BREECE, *President.*

GEO HENDERSON, *Secretary.*

Recorded Sept. 23rd 1864

S. H. FONTE, *Recorder.*

LAKE COUNTY.—LAKE CENTRE MINING DISTRICT.

LAWS.

At a meeting of the miners and Citizens of Lake Centre District held at the mouth of the canon of Lake Creek above the Lakes, Lake County and Territory of Colo. at 1 o'clock p. m. Oct. 12th 1864, W. J. Eagles was chosen president and H. C. Justice was chosen Secretary

And on motion of John Boyd; H. C. Justice, H. J. Depp, and Louis Hoffman were appointed a committee to present to the meeting Laws and Regulations for the government of the District.

The committee retired and on on motion of William Layson the meeting took recess of an hour to enable the committee to report.

Two o'clock p. m. October 12th 1864 the committee by H. C. Justice their chairman presented the following report to the meeting.

Your Committee Report the following Laws and Regulations and recommend the adoption of the same

SECTION 1st. That portion of Lake Creek commencing at the outlet into the Upper Lake and two miles on each side of said Creek and up said stream to the main fork of the same or to the boundary of the Red Mountain District

SECTION 2nd. There shall annualy be elected in said District a President and Recorder whose duties shall be the same as like officers in other mining Districts in Colorado Territory

SECTION 3rd. Every person discovering a Lode in said District shall be entitled to hold one hundred (100) feet in length and fifty (50) feet in width on the Lode as a Discovery claim (provided other Lodes are not descovered within fifty (50) feet in width) and one hundred (100) feet in length and fifty (50) feet in width on the lode as a preemption claim and all persons shall be permitted to preempt and hold one claim by preemption on each lode in the District.

SECTION 4th. Every person shall have the right to take up and pre-empt three hundred feet square (300) as mill site and to run up said Lake creek or any stream in said District until a head of twenty feet is attained and also a building lot forty (40) feet front by one hundred and twenty feet deep, and all claims whether mining claims, mill claims or Building Claims when taken and recorded according to the Laws of this District and the Laws of Colorado Territory shall be held as Real Estate.

And on motion of R. Nat Johnson the said Laws were taken up Section by Section, passed and adopted as the laws of Lake Center District.

Whereupon an Election was held and W. J. Eagles was elected president of the Lake Center District.

On Motion H. C. Justice was elected Recorder of Lake Center District for the term of one year.

I, H. C. Justice, Recorder of Lake Center District do certify that foregoing are the true laws and Records of Lake Center District.

Oct 20th 1864

H. C. JUSTICE, *Recorder.*

Recorded Oct. 20th 1864 at 9 o'clock p. m.

S. H. FONTE, *Recorder.*

Lake Center District became a part of Red Mountain District October, 2, 1865. For minutes of meeting at which consolidation took place see "Red Mountain District, Lake County."

LAKE COUNTY.—ARKANSAS RIVER MINING DISTRICT.

LAWS AND REGULATIONS.

Adopted at a Miner's Meeting held at Oro City, Lake County, Colorado Territory on the 24th day of Dec. A. D. 1864

That whereas at a Miner's meeting held on the 10th day of December 1864 there was a law past annulling all Laws relating to the working of California Gulch No 59. We form a new District to be known as the "Arkansas River District."

SECTION 1st. That the Eastern boundary of said District shall be on the line between 59 and 60, or on the most Easterly end of Weston, Breece and Deweys ground sluice where they are now to work, the Western Boundary the Arkansas river and North and South the summits of the Ridges.

SECTION 2nd. That 200 feet up and down the Gulch from Bank to Bank shall constitute a claim.

SECTION 3rd. That there shall be Surveyor and Recorder elected.

SECTION 4th That the District shall be surveyed commencing at the eastern boundary of the District and the claims be numbered down the Gulch.

SECTION 5th No person shall be allowed to hold more than one claim by pre emption.

SECTION 6th Ladies shall be allowed to hold claims by pre emption.

SECTION 7th All persons holding claims under the old organization shall be allowed to hold the same by representing them in person by filing notice with the Recorder within 30 days, provided that they do not hold more than 200 feet by preemption.

SECTION 8th. All claims shall be represented by work by the first of June 1865.

SECTION 9th All work done upon drain ditches shall represent the claims proposed to be drained the same as if done upon the claims.

SECTION 10th Any company holding several claims can represent the same by working any part thereof.

SECTION 11th Any owners of claims shall have the right of way through adjoining claims 10 feet in width at the bottom of drain for Drainage.

SECTION 12th. All owners of claims running a drain through another persons claims and strike the bed rock, shall notify the person whose claim on which he is to work to run said drain ditch, if he refuses to commence to work on said drain within five days after being notified then the parties running said drain may continue it according to Section 11

SECTION 13th. Any parties working claims shall not run the water past parties working below them unless the fall of the gulch will not permit it otherwise and in that case they shall equally divide the water with the party working immediately below them.

SECTION 14th Provided always that the foregoing Laws shall not be so construed as to interfere with the Flume known as the Sacramento and Hydraulic Fluming Co's Flume.

SECTION 15th All claim owners shall pay to the Surveyor or Stake driver fifty cents for each claim surveyed to be paid to the Recorder of the said district, if said sum of fifty cents is not paid to the within 30 days, said claim or claims shall be forfeited.

SECTION 16th That the Recorder shall receive fifty-five cents fee for each certificate and filing with stamps made out.

SECTION 17th. That Rheuben Smithers shall act as Surveyor and Geo Leonhardy as Recorder of said District.

GEO LEONHARDY, *Recorder.*

BOULDER COUNTY.—CENTRAL MINING DISTRICT.

Bounded as follows, To wit,

Commencing at a stone mark on James creek followng the dividing river (west) of the waters of James creek and left hand to where it intersect the Dist. of Gold Lake thence north to James creek thence up Sand creek one mile, thence north to St. Vrains creek, thence down said creek to fourth range, thence south to the place of beginning. the same being and is hereby consstituted the Central Mining District

We the citizens of said District aforesaid to hereby make and adopt the following laws by which we and each of us are firmly bound. To wit.

ARTICLE 1 Each and every Lode or mining claim discovered by any individual or mining company shall show a crevice or sink the same five feet before he or they shall be entitled to stake the same then the stake to be respected for the term of thirty days and within the above time he or they shall cause the same to be sunk ten feet in depth on crevice.

SEC. 2 All persons taking up Forfeted Load claims under the laws of this dis. shall cause the same to be sunk to completion without delay.

SEC 3 All persons or Company taking up mill sites within this dis. shall be entitled to take up and preempt. (300) Three hundred feet Lengthwise upon the streams and four hundred feet wide and shall stake the same at all of the corners according to the survey and shall Record, the same as taken for Gulch mining and mill purposes and shall cause a good wagon road to be made across the same within thirty-days after the county commissioners shall locate the Road according to the same across the same

SEC. 4 All persons or companys taking up mining claims outside of mill sites or mill claims shall be entitled to take up and Preempt three Hundred feet Lengthwise of the streams and from Bank to bank and shall stake the same at all of the corners claims

SEC. 5 Persons wishing to take a house lot may take up and preempt a lot not to excede five Acres of land which shall be recorded in the office of the County Rec. and shall be staked in a substantial manner at all of the corners of the same and shall cause to be erected upon the same a dwelling house at least 12 by 14 feet upon the same within nine months from the date of the taking of the same and the house aforesaid shall have at least one door & one window in the same proved however that no house lot shall be taken within this district so as to interfere with any of the mill sites upon the streams within this Dis.

SEC. 6 There shall be elected for this Dis. on the 7th day of Sept. (1866) one Register and survey to hold their office for the term of one year or until their successor is elected and annually here after while this Dis. shall continue. It shall be the duty of the register to record all claims of every discription within this Dis. and his fees or deputy shall be Twenty five cents for recording each and every claim and it shall be the duty of the surveyor to survey all mill sites and Gulch mining claims and house lots and he shall be entitled to pay at the rate of ($5.00) per. day for Gulch services

SEC. 7 All Mills claims & house lots & Gulch mining claims and load claims shall be registered with the Dis. Recorder bearing the of each discovery on taking together with the name or names of the claments and shall also be recorded in the office of the county recorder of Boulder Co.

SEC. 8th To constitute a good and valued claim to any mill site, house lot or Gulch mining claim any person or company shall apply to the dis. suveyor and have the same surveyed in conformity with the above laws. Be it known that we the settlers of Central mining Dis. hereby testify that the foregoing by laws was passed and adopted by the unanimous consent of all present this the 7th day of Sept. A. D. 1866.

JOHN GILLASPI *Pres.*

H N COFFEY *Secretary*

Supliment to section 3rd of the foregoing by laws the Starting point of all surveys shall be and start from a tree on North branch thence running up said creek, and from a tree and stake on James creek, marked starting point for the Surveyers of this part of Dis.

LAKE COUNTY.—TAYLOR PARK MINING DISTRICT.

MINING LAWS OF TAYLOR PARK MINING DISTRICT.

At a meeting of the miners of Taylor and Union parks held at Sick Gulch Lake County Colorado Territory, May 7th 1867 for the purpose of organizing a a Mining District and adopting laws for the government of the same Frederick Lottes was elected President and Thomas Keyes Secretary.

On motion the following laws were unanimously adopted for the government of the district

SECTION 1st This District shall be known as Taylor Park District bounded as follows, to wit: Beginning at the mouth of a certain creek emptying into Taylor River from the Red Mountain Pass; thence up said creek to the summit of the Range of Mountains encircling Taylor and Union Parks; thence along the summit of said range Easterly, Southerly and Westerly, to the West Bank of Taylor River thence up said West Bank to the place of Beginning

SECTION 2. The officers of said district shall be a President and Recorder

SECTION 3. The duties of the President shall be to call and preside at all meetings of the District

SECTION 4. The duties of the Recorder shall be to Survey Stake, Record and issue certificates of pre-emption for all mining claims in said District, to keep a correct set of Books of Record for the District which shall at all times be open for examination by the public, to post notices of miners meetings by order of the President and to act as Secretary of all District Meetings.

SECTION 5. The President shall preside at all meetings of a general nature without compensation; but when meetings are called to settle private claims or dispites he shall be entitled to receive two dollars and fifty cents for presiding thereat, to be paid by the party at whose instance the meeting was called.

SECTION 6 The fees of the Recorder shall be one dollar for recording each claim, and issuing a certificate therefore, and two dollars and fifty cents for writing and posting each notice calling meetings of a private nature, the party at whose instance the notice was issued paying for the same—

SECTION 7—The annual election of officers shall be held on the first day of June of each year hereafter.

SECTION 8—The officers of said District shall hold their offices for one year from the date of their elections and until their successors are qualified.

SECTION 9—Should the office of President become vacant the Recorder shall perform the duties of President until the next regular District election, a Secretary pro tem being appointed at any Miner's Meeting that may be held. Should the office of Recorder become vacant the President shall have power to appoint a recorder to hold the office until the next regular meeting.

SECTION 10. The claims of Taylor Park Mining District shall be divided into the following classes to wit: Gulch, Flume and Lode claim

SECTION 11. Gulch claims shall measure one thousand (1000) feet up and down the Gulch and extend from Bank to Bank. Provided always that the Gulch claims shall be entitled to the Gulch pay streak whereever it may run.

SECTION 12 Flume claims shall measure two thousand (2000) feet up and down the Gulch, creek or River including the pay streak whereever it may run

SECTION 13. Lode claims shall measure two hundred feet horizontal measurement of the length of the lode and twenty five feet each way from the centre of the Lode.

SECTION 14 The discoverer of a Lode shall be entitled to two claims on it—one for the discovery and by pre-emption.

SECTION 15. Claims to the number of fifteen may be recorded on each Lode

SECTION 16. When two or more Lodes cross or intersect each other, or are within twenty five feet of each other the priority of record shall determine the rights of claimants.

SECTION 17. The right to the water of any Gulch, creek or other stream for the purpose of working any claim or claims, in other gulches, creeks or streams may be secured by the claimants causing the same to be recorded in the District Records, and performing labor on the ditch to be constructed within twenty days of the date of location, provided always that the first right of the natural water of any stream shall rest in parties owning claims on the same.

SECTION 18. All gulch flume, lode and ditch claims shall be filed for record with the District Recorder within ten days from the date of location or be subject to relocation.

SECTION 19. Each male person in the District over the age of sixteen years, shall be entitled by pre-emption to one Gulch, one Flume, and one Lode claim on each and every discovery made in the District. Purchased claims to be held by representation as required by the District Laws

SECTION 20. All ditches constructed within said District for the purpose of working a specified gulch or gulches shall be deemed abandoned after lying idle one year unless the same shall have been incorporated in pursuance of Territorial Laws.

SECTION 21. All gulch and flume claims incorporated under the provisions of the "Act of March 11 1864" Territorial Laws of Colorado previous to the formation of this District shall not be restricted as to the number of feet claimed and incorporated, but the claimants shall be entitled to hold the amount as incorporated Provided said claims be duly worked and represented according to District Law.

SEC. 22nd. All gulch, flume, and lode claims shall be represented by the presence of the owners or their authorized agents during the mining season and shall be worked at least six days during the mining season where practicable. Upon failure to comply with these provisions said claims shall be subject to relocation.

SEC. 23rd. All work done on any portion of the ground owned by a company by labor on a ditch, or ditch leading to the same, or by any labor intended for the improvement of said company's claims shall be held to apply to all claims embraced in the organization.

SUMMIT COUNTY.—GEORGIA PASS MINING DISTRICT.

At a meeting held on Swan river July 1867 by miners of Summit County in the Territory of Colorado, for the purpose of organizing the boundaries of a lode mining district on the head waters of the south fork of Swan river the following resolutions were submitted and unanimously approved by the meeting.

ART 1st All that tract of ground lying within the following described boundaries shall be known and hereafter called "Georgia Pass District" commencing on Swan river at the North East corner of Carpenter's District and running southerly on the divide between American and Mulberry gulches and on the east line of Carpenter District to the summit of the dividing ridge between French gulch and said south fork of Swan river; thence on the summit of the last mentioned divide to the intersection of the main range; thence on the

summit of the main range in a northerly direction to the divide separating the waters of the middle fork and those of the south fork of Swan river and up along its south bank to the place of commencement, comprising all ground drained by the south fork of Swan river within the above described boundaries

ART 2d The laws of the Territory of Colorado in relation to mines and mining when in accordance with those of the United States are and shall be recognized and enforced in the Georgia Pass District

Witness the signatures of the members of meeting

Z. SMILIS	CHAS DONELLY	JULIUS FAIRFIELD
P. M. HALSEY	G. W. PARKER	PATRICK NOLAN
A. PEDDIE	JAMES DOWNEY	GEORGE H. BRESSLER.
I. D. ROBY	W. F. SCHMIDT	J. D. RANKIN
Mr H. DICKINSON	HANS H. LILIENTHAT	F. WOLFF.
C. BURNS	CHARLES TWILLING	

SAN JUAN COUNTY.—LAS ANIMAS MINING DISTRICT.

MINING DISTRICT LAWS, FROM SAN JUAN COUNTY RECORDS.

LAS ANIMAS RIVER COL, *June* 15″ 1871.

At a meeting of miners called this day and date, the following by-laws were made and adopted and the following officers were chosen and elected for the present year. I. H. Cook Presedent and Miles T. Johnson Recorder. By vote the following resolutions and articles were adopted.

ARTICLE 1st=This District shall be called & known by the name of the Las Amimas District.

ARTICLE 2nd=This District shall be defined and bounded as follows; commencing at the head of the canon on the Las Animas River at the lower end of what is called and known as Baker's Park, and thence running East to the summit of the main dividing Range, and then following said Range around so as to include all the waters of said River to the place of beginning

ARTICLE 3rd=All miner's claims shall be recorded by the District recorder of said District within ten days from the time of discovery

ARTICLE 4th=All discoveries made within said District shall have a monument and notice erected at place of discovery with the name of each and every claimant, stating the number of feet claimed and in what direction running from said monument and notice, and also the name of said lode Deposit or Placer.

ARTICLE 5th=All Lodes shall have a well defined crevice and at least one wall rock developed within 90 days from date of record, otherwise it shall not be considered as valid

ARTICLE 6th=All claims appertaining to Mining interest, shall be recorded by the District Recorder.

ARTICLE 7th=The books of the Recorder shall always be open to the inspection of the Public, and shall never be taken from the hands of the Recorder, but any person shall be entitled to copy any Record at any reasonable time.

ARTICLE 8th=All officers for the district shall be elected for the term of one year only, and the same shall be a President and Recorder of claims.

ARTICLE 9th=It shall be the duty of the Recorder to take charge of all records and keep safely the same.

ARTICLE 10th=The fee for recording each and every claim shall be the sum of one dollar.

ARTICLE 11th=All notices of miner's meetings shall be posted at least six days and shall be accompanied by six miner's signatures in the above mentioned district and shall be posted by order of the Recorder

ARTICLE 12th=Mr. J. H. Cook was elected for the present year, and Miles T. Johnson District Recorder.

After the above resolutions were made and adopted, the meeting was adjourned.

MILES T. JOHNSON *Dist Recorder*

RECORDERS OFFICE LAS ANIMAS MINING DISTRICT
Colorado Territory June 6th 1872.

Pursuant to notice published on the first day of June 1872. a meeting of the miners of this District was held at the office of the Recorder

The meeting was called to order by the Recorder, Mr. Johnson.

On motion Mr. T. A. Dolan was chosen President pro tem, and Mr. Johnson Secretary.

The object of the meeting having been stated, motion was made and carried to appoint a committee to draft amendments to the by-laws. The following gentlemen were appointed on said committee viz: D. Reese, M T. Johnson, and G. W. Ingersoll;

After deliberation the following resolutions & admendments were presented by the committee, and after having them read by the Secretary were adopted by the meeting. viz:

Resolved That article V of these by-laws be amended so as to read,—that persons making locations on Lodes, veins or other deposits of gold, silver or other minerals shall have ninety days from date of record in which to sink a shaft to the depth of ten feet, or to run a tunel or cut in the mind, so as to show a face of ten feet perpendicular & and in all other respects comply with the territorial Law.

Adopted.

Whereas—quite a number of locations were made last year on mines and the locators were unable to comply with article V of these by-laws, therefore be it resolved, that an extension of ninety days from this date be granted to such locators in which to comply with the law; provided the mines claimed shall not have been relocated and recorded prior to this date.

Adopted June 6″ 1872.

Whereas—There is now a large amount of lode claims, claimed and held as extensions on which no work has been done. Therefore be it Resolved by the miners of this District that no claim or claims, claimed as extensions shall be legal without the same amount of developments as though the claim or claims were an original discovery

Adopted June 6″ 1872.

On Motion, a committee of three, consisting of Messrs Mulholland, Ingersoll and Johnson, *were* appointed to review the by-laws of this District and report to the annual meeting June 15. 1872. any suggestions, alterations, amendments or additions that shall to *them* seem wise or beneficial.

There being no further business the meeting adjourned *sine die.*

T. A. DOLAN *President pro tem*

MILES T JOHNSON *Secretary.*

RECORDERS OFFICE LAS ANIMAS MINING DISTRICT
Colorado Territory June 15, 1872

Annual meeting of the miners of Las Animas Mining District was called to order by T. A Dolan President pro tem.

Proceedings of the last annual meeting and the meeting held June 6″ 1872, *was* read by the Recorder, after which Mr. McNutt was nominated and duly elected President of the District for the ensuing year. Mr. Johnson was elected Recorder.

Motion was made and reconsidered that the Recorder of the District in addition to his other duties be the Secretary of all miner's meeting of this District.

Considered there being no further business, the meeting adjourned sine die.

MILES T. JOHNSON *Dist. Recorder.*

LAS ANIMAS MINING DISTRICT COL. TERRITORY *August* 7″ 1872.

Pursuant to notice given for a meeting this day, the miners met at the place appointed.

The meeting was called to order by the President when the following business was transacted.

On motion of Maj. Brockie,—seconded—that all blanks left on the record book be marked by a blank line cross the blanks. Carried.

On motion of Maj. Brookie—seconded—that a committee be appointed to examine the records and report thereon. Carried

The President appointed on records *as committee*, Larhner, Ingersoll & Mulholland, to report as soon as possible.

On motion of Maj. Brookie—seconded—That there be a committee appointed to review the by-laws and make such alterations as may seem advisable. Carried.

The President reported as a committee on by-laws, Quinn, Royal and Brookie to report as soon as possible.

Moved a recess till the committees were ready to report.

Meeting called to order by the President and the committee on records offered the following report, which was read by sections and adopted.

I That all blank space shall be marked so that no futher record can be made thereon.

II That all future records shall be so placed that no space exceeding two lines shall intervene between any two records.

III We would further recommend that the recorder be interucted to file upon all papers presented to him at the time the date and hour of each filed with him.

IV That a set form of blanks be determined upon for locations and that books of Record with corresponding forms be procured for the more convenient recording of claims.

On Motion the report of the committee was received and the committee was discharged.

The committee on by-laws reported and offered the following which was adopted.

Your committee appointed to examine the by-laws finding them good as far as they go beg leave to offer the following admendments and suggestions

I That one hundred feet each way from the center of each Lode be allowed for working purposes.

II That all claims located prior to this date that come within the one hundred feet. That the ground lying between such claims be equally divided for working purposes.

III That there shall be allowed for a days labor on all lodes the following prices. For working in loose rock and earth twelve dollars per day. For hard rock such as will require powder and drills sixteen dollars per day.

IV. That there be an inspector elected to examine the Lodes and see that the necessary amount of work be done and give certificates accordingly and that he shall receive for his services the sum of two dollars and fifty cents for each Lode examined

V. That the 15″ day of July be appointed the day of annual meeting instead of the 15′ of June.

VI. That there be an inspector elected to fill the office till the regular annual meeting

VII Resolved that the officers elected for the present year hold their office till the 15″ day of July A. D. 1873.

VIII On motion seconded and carried that all notices on Lodes be *wrote* in plain English and posted in some conspicious place on the Lode.

IX On motion seconded and carried that there be a vice President elected for this district to fill the office of Recorder in his absence.

Report of the committee on by-laws was received and the committee was discharged.

On Motion seconded and carried to elect an inspector for this District, Mr. Cook and Mr. Royal were put in nomination, and Mr. Royal was elected

Mr. Larhner was elected Vice President. There being no farther business the meeting adjourned sine die

R. J McNUTT *President*

I. L. WIGHTMAN *Secretary*

LAS ANIMAS MINING DISTRICT *June 2d* 1873

At a called meeting of the miners of this District this day, the following business was transacted. President McNutt presiding, I. L. Wightman Secr.

Moved and seconded that I. L. Wightman be elected Recorder till the annual election. Carried.

Moved and seconded whither the Mountaineer Lode belonged to Maj. Hamilton or not. Carried; twenty one votes to none.

Moved and *carried* that Maj. Hamilton be put in immediate possession of the property. Carried. There being no further business the meeting adjourned.

R. J. McNUTT *President*

I L WIGHTMAN *Secretary*

LAS ANIMAS MINING DISTRICT COL. TERRITORY *July* 15. 1873

The annual meeting of the miners of the Las Animas District being called to order, Mr. Jones was elected temporary chairman. The meeting then elected D. Reese President and A. Beigold Vice President for the ensuing year.

Minutes of the last annual and called meeting read and approved.

Moved and carried that the office of District inspector be abolished.

Moved and carried that the Recorder be elected by ballot, and that the polls be kept open till 6 o'clock P. M. July 15" 1873.

The President appointed as Judges of election F. T. Ketchum, Trainer and L. L. Welch, and the polls were declared open for votes.

Moved and carried that a path master be appointed to locate and improve a path from the Las Animas District to Antelope Park on the Rio Grande River. Mr. Jones was elected path Master to commence the trail at the mouth of Cunningham Gulch.

The question of right to a claim on the Round Mountain Lode between A Helphenstine and I L. Wightman being brought before the meeting by I. L. Wightman, it was unanimously decided I. L. Wightman should have and hold the claim as originally located and claimed by him.

After 6 o'clock P. M. the vote being counted, the Judges of election declared the result as follows; I L Wightman (63) sixty three votes; for George Ingersoll (14) fourteen votes. I L. Wightman was elected Recorder for the ensuing year.

There being no further business the meeting adjourned sine die

D. REESE *President*

I. L. WIGHTMAN *Secretary*

LAKE COUNTY.—CHALK CREEK MINING DISTRICT.

HOT SPRINGS CHALK CREEK *April 12th* 1873.

Agreeable to notice signed by E. W. Keyes, A. E. Wright, W. W. Fletcher, and others, a Meeting of those interested in the Chalk Creek mines was held to day—present—A. E. Wright J. A. Merriam E. W. Keyes, W. W. Fletcher Thos Morgan Henry L Ballard and others.

The meeting was called to order by Dr A. E. Wright and the object of the meeting stated by Mr Keyes when it was voted—that Henry L Ballard serve as Chairman, that E. W. Keyes act as Secretary, that a committee of three retire and report name of District, limits of same and necessary Laws. Committee to be appointed by the Chairman who selected Messrs Wright, Bassham and Fletcher. The above committee reported for name

"Chalk Creek Mining District limits of same commencing at McFarland's Ranche, so called running west up Four mile creek to the summit of the Range, thence along the summit of the range to Mt. Harvard on the North, thence East to the Arkansas River and South down said river to the place of beginning. Also that all new discoveries, or claims of Lodes in this District shall be provided with a three inch stake firmly planted and marked with name or names of parties interested with date of said discovery. Said claims to be properly developed and recorded within ninety days from said date.

Voted that; said Report be adopted; E W Keyes be elected Recorder for one year Committee of three be appointed by the Chairman to name the principal Mountains and cañons in said District.

The chairman appointed Messrs J. A. Merriam, Hiram Marks and Ira G. Wing to report at the next meeting.

Voted that; the Recorder receive a fee of one dollar for recording each and every Lode; the Recorder receive one dollar each and every Certificate.

Voted that this meeting adjourn to 2nd Tuesday of next April unless sooner convened by the Secretary.

Attest:

HENRY L. BALLARD *Chairman.*

E. W. KEYES *Secty*

At a Meeting of the Miners of the Chalk Creek and Helena Mining Districts made the 12th day of May 1873, the following rules were adopted.

Resolved that a committee of three retire and report a dividing line between the Helena and Chalk Creek, Districts.

Josiah Weston, J. G. Ehrhart, and J. A. Merriam are thereby appointed to view and fix said line.

Said Committee report as follows—

That the north line between said districts shall commence at the lower Hot Springs on Chalk Creek, thence in a northerly direction to the lower Hot Spring on Cottonwood Creek, thence in a westerly direction along the left hand branch of in south fork of the Cottonwood Creek to the summit of the Snowy range

Signed

JAS. D. DOWNING
Recorder of Helena Mining District
E. W. KEYES
Recorder of Chalk Creek Mining District.

SAN JUAN COUNTY.—EUREKA MINING DISTRICT.

MINING DISTRICT LAWS FROM SAN JUAN COUNTY RECORDS.

At a miner's meeting held at the mouth of Eureka Gulch Animas Park, on the 16″ day of August 1873. Due and timely notice having been given of such meeting for two weeks previous and a Majority of the miners of the District being present the following business was transacted.

The meeting being called to order and its object being stated by Mr. R. J. McNutt; on motion Mr. A. P. Simpson was elected chairman and Mr. T. H. Taylor Secretary.

It was resolved to form a Mining District to be known as the Eureka Mining District with the following boundaries, to wit;

Commencing at a stake one mile north of the mouth of Cunningham on the East side of the trail running up the valley of the Animas. Thence Westerly to the summit of the divide between the Eureka Gulch and the water South, following the same *Westerly and Southerly* to the point of intersection with the divide, between the Uncompahgre and Rio Las Animas waters. Thence Northerly and Easterly along the divede to its Junction with the main or Snowy Range. Thence southerly following the summit of the range to the point of intersection with the divide, between Maggie Gulch and Cunningham Gulch. Thence Westerly along the Divide to the point of commencement. The same to include all the water shed *whose* waters empty into the Rio Las Animas above the starting point.

On motion the chair appointed a committee to draft a code of District mining laws, consisting of R. J McNutt, James Beaton and J. L. Ufford.

The committee submitted their draft to the meeting and the following code was adopted article by article

ARTICLE 1st=The officers of this District shall consist of a President, Vice Presedent, Secretary and Recorder. The duties of the President shall be to call special and preside at all meetings of the District.

Of the Vice Presedent to act in the same capacity in the absence of the President

Of the secretary and Recorder to act as Secretary of all miner's meeting, to hold possession of and be responsible for the safe keeping of all books, papers and records, belonging to the District & to make such entries upon the District records, indexing both mines and locators, as may be offered to him, accompanied by a fee of one dollar for each record made.

ARTICLE 2nt The officers of the District shall be elected at each annual meeting of the District, and shall hold their term of office for one year. But in case of unavoidable absence or inability to perform their duties, deputies to each and all may be appointed by themselves or the District. And in case of their wilfully absenting themselves or neglecting to perform duties, each and any of them may be impeached and their place filled for the unexpired term by a two thirds vote of any meeting, where there is a quorum of the votes present.

ARTICLE 3rd A quorum shall consist of thirty voters, who hold property in the District and no impeachment of officers or change of these laws shall be made except by a two thirds vote

ARTICLE 4th=All papers, books & records belonging to the District shall be open to public inspection at all reasonable times under the supervision of the Recorder, but in no case shall they be taken from his possession, except by the District officers in case of impeachment.

ARTICLE 5th=All mining claims shall be recorded after such a general rule and upon such blank forms as may be adopted by the District and shall be numbered together with date and hour, in the order of their filing for record. And each locator of a claim upon presenting his notice for record accompanied by the Recorder's fee, shall be entitled to an exact copy of the record certified to and recorded by the Recorder.

ARTICLE 6th A ledge or Lode claim shall consist of 1500 feet in length and 300 feet in width and shall include all lodes, ledges, deposits of ore, mineral bearing rock, that may have their apex within the limits of the claim, but shall not in any case extend beyond the side or end lines of this parallelogram, or surface claim, except what may be necessary in following down in a direct line, the dip of any lode or ledge, or part of such, as may have its apex within the limits of the claim.

ARTICLE 7th Any persons or persons, locating a lode or ledge claim shall place, or have upon the claim a monument at least two feet in height, and on the same a written notice on paper and within five days thereafter place upon it a stake of at least two feet in highth, with a face upon it at least four inches in width, upon which shall be legibly written, the name of the Lode, the name of the individual locating, a definition of limits and date of location and cause a notice of same to be recorded in the District records within twenty days thereafter.

ARTICLE 8″=Any Miner possessing a mine, or any mill, or furnace owner may claim and hold a mill site of five acres in accordance with the United States Mining laws, with right to use all the water that passes through it, in case he or they return the same to its natural channel upon leaving his premises, without injury to his neighbor, by posting notice on such claim in a conspicious place, defining limits, with name of locator and date of location and recording the same within twenty days from such location

ARTICLE 9th=Any miner may claim and hold, not to exceed one tunnel claim in the District, by posting notice at the face of such Tunnel with date of location and name of locator or lacortors, recording and working assessments under the same provisions as are necessary to hold a ledge or lode, claim.

ARTICLE 10th=Any person who shall remove, alter or deface any legal notice of location not his own discovery shall be considered guilty of a misdemeanor and on conviction thereof shall be punished by such fine or forfeiture of rights as may be deemed just and right by a two thirds vote of a quorum of miners of the District.

ARTICLE 11th=In estimating assessments the excavation of one cubic yard of blasting rock, or three cubic yards of pick and shovel work, or three hundred yards of trail made for the use of a mine shall be considered equivolent to thirty dollars worth of labor, and in the same proportion for any greater or less amount Other labor for the benefit of a mine, or whereby greater inconvenience, the expense is greater the amount may be substantiated by voucher and affidavit at the rate of ten dollars for each ordinary days labor, and twelve dollars for each days labor in blasting.

ARTICLE 12th=Where so desired any miners holding property recorded in the records of Los Aminas District may record such property in Eureka District records, with change of name and such further description of such property, together with its surroundings, as may the better accord with the laws of the United States and Eureka District, without injury to former claim or title, providing no adverse rights exist at the time of re recording

T. H. TAYLOR *Sect. V.*
JAS BEATON *Dist Recorder*

Recorded Aug. 17″ 1873

SUMMIT COUNTY.—CENTRAL MINING DISTRICT.

PROCEEDINGS OF A MEETING HELD JUNE 11TH 1874

Meeting called to order by Wm P. Pollock
On motion John D. Roby was elected president and Wm P. Pollock Secretary.
The following resolution was offered by Fredk Wilke to wit;

Resolved that owing to the scarcity of water in Soda, Right Hand and Wilke gulches in said mining District and the ditch carrying water to said gulches being still unfinished; the owners of said property shall have until next July viz;——July A. D 1875 to complete said ditch, and that said mining property to-wit; Soda, Right Hand and Wilke gulches, together with 4000 feet on Blue River adjoining shall be held as represented until the time aforesaid viz; July A. D. 1875 and not subject to relocation;——carried

On motion meeting adjourned sine die

JOHN D. ROBY *President.*

WM P. POLLOCK *Sec'y*

SUMMIT COUNTY.—LONG ISLAND AND UNION OR UNION CONSOLIDATED MINING DISTRICT.

MARCH *26th* 1875

At a meeting of the miners of the (so called) Long Island and Union or Union Consolidated Mining Districts situated at or near the confluence of the Blue and Swan rivers, in the Territory of Colorado and county of Summit J. T. Clark having been called to the chair and A. R. Emmett elected secretary the following preamble and resolutions were unanimously adopted viz;

Whereas The mineral resources of this district are of great value and the development of the same is of vast importance to the miners and to the public generally

And, Whereas The organization of numerous mining districts by persons of limited experience heretofore has had a tendency to encourage speculation to retard development, discourage immigration, complicate titles, promote law suits and render difficult, uncertain tedious and expensive the manner of proceeding to obtain U. S. Patents, as the experience of the last fifteen years has abundantly proven

Wherefore be it resolved 1st That Union and Long Island Mining Districts heretofore indefinitely bounded as follows viz; on the East by Pleasant Park district; on the South by Spaulding Mining District; on the West by unknown district and Ten Mile range and on the North by Unknown district, including the valley of the Blue River and the Swan river at the confluence of the Blue and Swan rivers and extending two (2) miles more or less up the Blue river from its confluence with the Swan river and four (4) miles northerly down and along the Blue river, from the aforesaid confluence of the Blue and Swan rivers, including the valley of the Blue river and any and all parts of mining districts included within the boundaries of the so called mining district is hereby declared abandoned and the laws thereof *Null* and *Void*

2d *Resolved* that all mining claims situated within the boundaries of said districts or either of them, whether Creek, Gulch Bar or Bank claims are hereby declared forfeited and abandoned together with all and singular the rights of any claimant which may have been heretofore.

3rd *Resolved* That sections one and two shall not be so construed as to impair the *just rights* of any person or persons who may have been engaged in mining within the last twelve-months or in actual development of his or their mining property within the above abandoned district.

4th *Resolved* That the laws of the United States and of the Territory of Colorado relative to water rights, size of claims, dump privileges, locations, manner of recording and amount of work necessary to hold possession of a claim, in so far as the same is applicable to placer mining claims is now and shall be hereafter the only recognized authority in the abandoned (so called) Union and Long Island or Union Consolidated Mining District

5th *Resolved* That the written proceedings of this meeting shall be filed with the Recorder in and for the county of Summit and territory of Colorado, within ten days or less from the date above written

JAMES T. CLARK, *Pres*

D. R. EMMETT, *Secy.*

SUMMIT COUNTY.—CONSOLIDATED TEN MILE MINING DISTRICT.

At at meeting of the miners called and held in McNulty Gulch July 24th 1875 J. H. Follett was called to the chair and Frank Brandon was chosen secretary.

The object of the meeting was to change the laws of the Old District or district located in early days in and about the head of Ten Mile creek and to locate a new Mining District; the following resolutions or laws were passed

SEC 1st That this district shall be called Consolidated Ten Mile District, and bounded as follows; commencing at a stake at the corner of Park and Lake Co; thence running along the tip of the range between Blue river and Ten Mile and thence on the top of the range between Eagle river & Ten Mile and thence south to the top of the main-range, and northerly bound by West Ten Mile creek

SECTION 2d That the old mining laws embraced in the boundaries of Sec 1 are hereby declared *null* and *void* That hereafter all placer mining claims shall be taken and held under the territorial and United States laws concerning the same

SEC 4 That all claims now held under the old District laws and not represented on or before the first day of August 1875, shall be considered forfeited.

SEC 5th That all claims located and held under the old laws and represented according to the same are lawful

SEC 6th All claims not represented on or before the first of July annually are considered forfeited after August the first 1875; the amount of representation being one hundred dollars.

SEC 7th That those laws be duly recorded at the County Recorder's office within ten days of date.

July 24th 1875

JNO H. FOLLETT *Chm*

FRANK BRANDON *Secretary.*

CONSOLIDATED TEN MILE DISTRICT

At a miner's meeting called and held at Clinton City Consolidated Ten Mile District, Summit Co. Colo July 19—1877; the following local laws and resolutions were passed

Mooved that the leagle rates of miner's wages in working assessments on lodes in Consolidated Ten Mile Mining District be fixed at ten dollars ($10.00) per day with pick and shove and twelve and one half ($12.50) blasting.

Mooved that we stand by each other in the support and legitimate rights of each.

Mooved that proceedings be recorded at Breckenridge and published in the Colorado Springs Gazette and Fairplay Sentinel

JULY 19—1877

At a meeting of the miners of the Consolidated Ten Mile District, held at the home of Benjamin F. Brandon in McNulty Gulch on the evening of the 3d day of October A. D 1878, and which was attended by a majority of the miners of said district; Benjamin F. Brandon was elected to act as President of said meeting and Leonard S. Butler as Vice President, Alvah Lake as Secretary and Newton B. Low as assistant secretary, and the following preamble and resolutions were adopted

PREAMBLE.

Whereas certain incidents have arisen in this mining district during this day, which would lead if not connected by local mining regulations pertaining thereto, to litigation and destruction of the best interests of the district, therefore

No. 1 *Resolved* that this district will be governed in all matters pertaining to Lode mines by the Revised Statutes of the United States and the statutes of the state of Colorado, and the regulations adopted by this meeting

No. 2d *Resolved* that any one person or a number of parties together, may locate in this district, one or more lode mines provided he or they shall have complied with the regulations herein after provided, in relation to the location and work thereon

No. 3 *Resolved* that any locator or locators of lode mines in this district, who before the first day of July A. D 1879 shall have sunk a shaft ten feet deep four feet wide and six feet long, shall be entitled to hold said claim or lode until that date whether he or they shall have struck mineral or paying ore or not

No. 4 *Resolved* That any locator or locators of any lode claim who shall have run an adit or drift or tunnel or incline four feet wide, six feet high and ten feet in depth from a point on the bottom of the same where the adit or drift or tunnel or incline, shall have reached at or near its entrance a depth of five feet he or they shall have possession of the same until the first of July 1879, whether he or they shall have struck mineral or paying ore or not

No. 5 *Resolved* that any locator or locators of lode mines in this district who may have performed that portion of the work heretofore required under these regulations, to hold possession of his or their claim until July 1st 1879 in order to maintain free possession of such claim or claims after the 15th day of July 1879, shall be required to push forward the work on the development of the same, to a point where mineral or paying ore shall have been obtained or the party or parties who shall have located such claim or claims shall have become impressed with the desire to abandon the same and shall apply the labor of two men each day at least and the work by

whom shall be faithfully performed until mineral or paying ore shall be struck or the claim abandoned and any neglect on the part of said locator to perform such work for any consecutive ten days after the said 15th day of July 1879 shall work a forfeiture of said claim and such claim shall be subject to relocation according to the statutes of Colorado.

No 6 *Resolved* That it shall be sufficient before filing a claim for record to retain possession of a lode claim in this district, unless forfeited by failure to work the same, as hereinbefore provided to set a stake 750 feet from each end and 75 feet from each side of said claim, upon which said stake distances shall be described, together with the course of said vein, giving the name of the lode, ledge or deposit and the date of the location of the same and the name of the locator or locators and and no claim so located shall be disturbed by anybody nor subject to forfeiture until the 15th day of July 1879 provided all the conditions in regard to holding possession of the same shall have been fulfilled as hereinbefore provided

No. 7 *Resolved*, That should any mineral be discovered upon any located lode claim in this district which shall have such a dip or angle or be of such a character as that lately called carbonates at Leadville in Lake Co., the mining for the same and the right to the possession of the same on a regularly located claim shall be confined to the space between the side and end lines of the same but should said lode have a nearly vertical dip of from 4° to 9° the party having located said claim, shall have all the rights to dips spurs and angles, as provided in the statutes of Colorado

No. 8. *Resolved* That the name of this camp shall be designated as Carbonateville, and that on the opening of work in the camp on or after the first day of June 1879, the governor of the state and the United States Senator, shall by the officers of this meeting be requested to use their influence to furnish a tri-weekly mail to this district

No 9 *Resolved*—That the boundaries of this district be the same as those heretofore recorded

No 10. *Resolved*; that Carbonateville shall be located at or near the confluence of McNulty gulch with Ten Mile River and near the head waters of Eagle river.

No. 11 *Resolved*;—that we the miners and locators of claims in this district agree to stand faithfully by each other in enforcing the laws of the United States, of the state of Colorado and the foregoing laws, adopted for the government locally of this district (in consequence of the failure of the United States government and of the state of Colorado to supply the wants of this district locally therein) and under all circumstances to combine together and work with each other to resist jumping of claims, except under these regulations and to maintain good order and decent and proper individual conduct in this district

No. 12 *Resolved*;—that this meeting shall resolve itself into an association and that the term of office of its officers shall be for one year from the 15th day of July of each year, on which day an election for President Vice-President, Secretary and Assistant Secretary shall be held at a meeting to be had for the purpose, and that the officers heretofore elected shall hold office until their successors are elected on July 15th 1879

No. 13 *Resolved*;—that no person having located in this district shall have a voice in this meeting or association except he shall by location or purchase be possessed of a mining claim.

No. 14 *Resolved* that the work required to be done on a lode claim, in order to hold the same may be done on any part of said claim.

No. 15 *Resolved*;—that the Representative of Summit county be requested by the officers of this association to present to the Legislature of the state at its coming session these regulations in the event of a movement in said legislature in the direction of remodeling the present statutes of Colorado in regard to lode mining with the request that the same may be endorsed as the law of this district in regard thereto, and to further request said representative to prepare a bill and present the same to the Legislature for its adoption as a law giving to Summit County a width of three hundred feet to lode claims.

No. 16. That the proceedings of this meeting shall be published in the papers at Leadville and Denver and that the same shall be recorded in the recorder's office of Summit County and that the same shall be left in the hands of the President of this association (for the examination by any member of the association or by new locators at any time) and ultimately to be turned over by him to his successor in office.

MEMORANDUM;—these proceedings were adopted by the unanimous vote of all present at the meeting who formed a large majority of the miners of this district

B. F. BRANDON *Prest.*
LEONARD S. BALLOU *Vice.-Prest*
ALVAH LAKE, *Secretary*
N. B. LORD *Asstt Secretary*
EDWIN ANDERSON
WILLIAM A. LEPERAN
J. M. FORSHEY
WM C. TOMPKINS
JOHN L. DAVENPORT
HORACE MCNEIL,
J. M. THORNE
JOHN NOLAN

DAVIS A. GAGE
M. B. CARPENTER
SAM BECK
GEO W. MUMFORD
W. R. BARTLETT,
WM H. STROHM
S. A. HERRICK
WM F. ELAHIN
B. F. FOLLETT
J. H. TOLLETT
G. W. LINGREN
ANDREW RECEN
SAMUEL ALLISON
} by their agent Leonard S. Ballou.

JOHN R. CRABB
JOHN EDWARDS
JOHN STEWART
ROBERT SOMERS
ROBERT H. LORD
RICHARD S. LORD
} their Atty N. B. Lord.
THOMAS STRIART
W. R. DAVIS
JACOB FLECHT
JOHN STILL
W. T. WILKINS
W. J. WILLIAMS

GRAND COUNTY.—POLLARD MINING DISTRICT.

CAMP POLLARD ON JACK CREEK, GRAND COUNTY, COLORADO TERRITORY,
Aug. 14, 1875—

At a meeting held by the miners of Pollard District, L. M. Hill appointed chairman, Tom Wallace secretary, for the purpose of making by-laws for said District

Be it resolved that the Boundaries of Pollard District be as follows, Beginning at the north east corner of Campbell District & running north five (5) miles, thence west to a point due north of the north west corner Campbell District, thence south to the northwest corner of Campbell District, thence east along the summit of the Rocky mountains to place of beginning.

Resolved that we adopt sixty days for developing, after staking, before recording.
ARTICLE second—*Resolved*, disputes shall be settled by a miners' meeting.
ARTICLE third, In all other respects to be governed by U. S. and territorial laws.

Motion made and carried that we adopt said laws as read & also that the secretary present a copy of said laws to the county Recorder for recording.

TOM WALLACE *Sec.*

HINSDALE COUNTY.—PARK MINING DISTRICT.

Copy from File in the County Court of Hinsdale County at Lake City Colorado.

MINERS CONVENTION

Pursuant to notice, the Miners in Burrows' Park, Colorado, met in Convention at Tellurium, August 21, 1875 at 4 o'clock p. m. An organization was effected by electing A Hargrave President and Benton Fraley Secretary.

The Chair stated the object of the meeting to be the organization of a new mining district—it appearing that the records of the Adams district have not been recorded on any county records and can not now be found—and further to fix the legal rates of miners' wages in working assessments in the proposed district.

On motion, a committee consisting of Messrs Niles, Howland, Kiser, Winsby and Bradshaw was appointed to define the boundaries of the proposed district.

After some time spent in consultation the committee reported as follows:

"Boundaries of a mining district to include Burrows Park. All the tributaries of the Lake Fork of the Gunnison river and slopes of the mountains from the summit at the head of said Lake Fork to Cottonwood Junction," which report was adopted, and, on motion, the District was named "Park District."

On motion, the legal rates of miners' wages in working assessments in this district was fixed at 12^{00} per day, with pick and shovel and 16^{00} per day with steel and powder.

It being considered probable that a portion of this district lies in Hinsdale County and a portion in La Platta county, (the county lines having never been run out), it is on motion ordered that our district records shall be recorded in both Hinsdale and La Platta counties, and Frank Barnes and Thomas Logan were appointed a committee to see that the record is completed in the Recorders office at Lake City and at Silverton.

John F Dowling was elected President and Benton Fraley Secretary of the Miners association in this district, for the ensuing year.

A motion prevailed instructing the secretary to send copies of the proceedings of this meeting to the "Silver World" and La Platta Miner," with the request that the same be published; and the meeting adjourned sine die.

A HARGRAVE, *President*

BENTON FRALEY, *Secretary.*

HINSDALE COUNTY.—GALENA MINING DISTRICT.

At a meeting held at the town of Galena, on the 11th day of May, the following boundaries of Galena Mining District were established: The eastern boundary line commencing at the head of Crystal Lake, following Crystal Creek to Henson, thence up Alpine Creek to the line of Park Mining district. The Southern boundary line running westerly from the head of Alpine along Park district, to the San Juan County line. Thence northerly ten miles along the line of San Juan County for a western boundary line, thence easterly to Crystal Lake, or place of beginning

H YOUMANS, *President*

JOHN B SEARCH, *Secretary*

GALENA *Hinsdale County, May* 11, 1876.

At a meeting of citizens of Galena District, called for the purpose of organizing as a mineral district; May 17, 1877, the following action was taken

1st—That this district is known as "Galena Mining District"
2d—That the officers of this district shall consist of a President, Vice President and Secretary and shall hold office for one year.

BY LAWS.

Miners' wages shall be eight dollars, thirty-three and one third cents per day, for powder and fuse. [NOTE—this means, if they work with powder and fuse] Other Labor Five dollars per day.

That this is a lode running district and there are at present no Placer mines known to exist in its limits.

That all locations made by fencing and placer claims for the purpose of speculation are hereby denounced.

Resolved, That the boundary of Galena mining district shall commence at the mouth of Alpine Creek, running south to the North boundary of Park district; thence west to the county line, thence east to a point north of the Mouth of Alpine creek; thence south to the place of beginning

G GREGGORY, *President*

B. K. JOHNSTON, *Secretary.*

HINSDALE COUNTY.—SUNNYSIDE MINING DISTRICT.

CAMP ON FIR CREEK, HINSDALE CO COLORADO *February 3rd*, 1877.

At a meeting of miners called this day and date, for the purpose of organizing a mining district, the following by laws were unanimously adopted:

ART. 1. This district shall be Called the Sunnyside District.

ART. 2. This district shall be defined and Bounded as follows: Commencing at the Mouth of Willow Creek, on the Rio Grande river, thence north to the Summit of the Snowy range, thence east eight miles, thence south to the Rio Grande river, thence west one mile to the place of beginning.

ART. 3. The following points are designated as "locus" points, reference to which shall be made in the locating of all claims within the boundaries of the district:

1st. The tower of rock on Stonewall Mountain, situated about 1000 feet from its Southern extremity.

2d. The highest ledge of rock on Stonewall Mountain, northwesterly from the tower—(location No 1,) and distnct therefrom about 8,000 feet

3d. The Devil's Gate, situated on Willow Creek

4th. The pile of rock on "Pilot knob," south of Shallow Creek and about northwest of the bridge at Poquin's Ranch

5th. The point of rocks on the south side of the Rio Grande river, just above the bridge at Poquin's ranch.

ART. 4. The officers of this district shall be a President and Recorder of claims, and said officers shall be duly chosen by ballot at an annual meeting and shall hold office for the term of one year.

ART. 5. The annual meeting of the district for the purpose of electing officers and transacting such other business as may come before it, shall be held on the first Saturday of February of each year at 4 o'clock p m

ART. 6. Special meetings may be called by the President. at the request of three or more miners, residents of the district, notice of the same to be posted at least three days before the date of said meeting, said notice to specify the time and place of meeting and to be posted, one on the outside of the Recorder's office, and one each in two other conspicuous places.

ART. 7. It shall be the duty of the President to preside at all meetings and to issue the notices for special meetings, in accordance with article 6.

ART. 8. It shall be the duty of the Vice President to fill the office and discharge the duties of the President in the event of his absence

ART. 9. It shall be the duty of the Recorder to keep a record of all mining claims located within the limits of the district, said record to be the property of the district and to be open to the inspection of the miners of the same, at all reasonable times, and the fee for recording each and every claim shall be the sum of fifty cents.

ART. 10. All claims shall be recorded with the District Recorder, within thirty days from the date of discovery.

ART. 11. In the event of the absence of the Recorder it shall be the duty of the President to appoint a person to discharge the duties of that office during said absence.

ART. 12. Nine (9) miners, residents of the district, shall constitute a quorum for the transaction of business at any regular or special meeting.

ART. 13. No other laws or regulations relating to mining interests than those of the United States and of the State of Colorado shall be in force in this district, the simple object of the organizing of the district being the establishment of certain locus points for the better and more definite location of mining claims.

ART. 14. These by laws shall not be suspended, altered, or amended, except by a three-fourths vote of all the miners of the district.

In accordance with article 4 of the above by laws, the following persons were elected officers of the district for the ensuing year: Fred C. Gay, President, G U Johnson, Vice President Frank S. Earle, Recorder.

FRANK S. EARLE *Recorder of District.*

GUNNISON COUNTY.—ELK MOUNTAIN MINING DISTRICT.

ELK MOUNTAINS COLORRAD GUNNISON COUNTY *Aug* 4, 1877

At a meeting of Miners this day and date, the following resolutions were made and adopted, and the following officers elected: M. L. Waller, President. S. C. Robinson, Secretary.

By vote the following articles and resolutions were adopted:

ARTICLE I. This District shall be known as and called the Elk Mountain District.

ART. II. This district shall be defined and bounded as follows: Commencing on the west at the mouth of North Rock Creek and following the same to its head crossing; thence southeasterly to the head of Cement Creek, and following the same to its junction with East river; thence southeasterly to the summit of the Divide, between Ohio Creek and Slate river, along said Divide to the head of Yule Creek and continuing down the same to its mouth, thence up Rock Creek to place of beginning.

ART. III. That the rates for labor on working assessments on claims be eight dollars, with pick and shovel, and ten dollars per day with drills and powder, for each day's labor.

ART. IV. That all notices of miners' meetings shall be posted at least six, and shall be accompanied by at least six miner's signatures in the above-mentioned district, and shall be posted by order of the President or Secretary.

S C ROBINSON *Secretary.*

HINSDALE COUNTY.—SHERMAN MINING DISTRICT.

In the town of Sherman, Hinsdale County Colorado, a meeting of Miners was held on this, the 2d day of October, 1877, and organized a mining district.

The following by laws were unanimously adopted:

ART. 1. This district shall be known as Sherman Mining District,

ART. 2. This district shall be defined and bounded as follows: Commencing at the head or upper end of Lake San Christobal, thence southwest along the summit of the divide to the western county line of Hinsdale County, a point northwest (on the Animas Divide) of the north fork of Cottonwook Creek; thence south east to the summit of the Clear Creek Divide; thence North east along the summit of the divide to a point opposite Lake San Christobal and thence to place of beginning

ART. 3. The officers of the district shall be a President and Secretary, who shall be duly chosen by ballot at an annual meeting and hold office for the term of one year.

ART. 4. The annual meeting of the district, for the purpose of electing officers and transacting other business deemed necessary shall be held on the first Monday of October each year.

ART. 5. Special meetings may be called by the President at the request of four or more of the resident miners of the district.

ART. 6. For anual labor performed in the district eight ($8) dollars per day shall be allowed when powder and fuse are used in execution of said labor, and six ($6) dollars per day for any other labor performed without powder and fuse.

In accordance with article third of aforesaid By Laws, the following named persons were unanimously elected officers of the district for the ensuing year. John Morein, President. Michael Cooney, Secretary.

MICHAEL COONEY, *Secretary.*

SUMMIT COUNTY.—BATTLE MOUNTAIN MINING DISTRICT.

At a meeting of miners called this day and date the following resolutions were adopted and the following officers were chosen and elected for the present year: For President Walter Wilson; Vice-President Samuel Murdy Secretary R. Rohm; a committee of three W. S. Barney; Wm Helmer and John Kelly were appointed to draft articles to form a mining district and the following laws were adopted

ARTICLE 1st. This district shall be called and known by the name of Battle Mountain District

ART. 2d. This district shall be defined and bounded as follows; commencing at the mouth of Homestake creek at the junction of the Eagle river; thence following the course of the said Eagle river twelve miles down and embracing six (6) miles on each side of said river

WALTER WILSON, *President.*

R. L. ROHM, *Sec.*

W. L. BARNEY	JAMES PATTEN
WM HELMER	PETER JONES
HENRY HELMER	DR WILLIAMSON
SAM MURDY	JAMES MCGREW
JOHN KELLY	JAMES D. DEMING

Committee

BATTLE MOUNTAIN EAGLE RIVER *Summit County Colorado June 21st* 1879

GUNNISON COUNTY.—RUBY MINING DISTRICT.

DISTRICT LAWS AND REGULATIONS.

"PIKIN" DISTRICT *August* 2 1879

To the miners of Pitkin District:

A meeting of the miners will be held on Saturday at 3 p. m. August 2 1879 at the "Ruby Palace", (the same place of the road meeting, for the purpose of more perfectly organizing the camp, by electing a district Recorder and three Judges before whom all miners' disputes shall be heard and adjudged, and such decisions shall be considered valid by the camp over which they have Jurisdiction. Also for a further consideration of the requirements of this camp.

MANY MINERS

"PITKIN" DISTRICT *August* 8 1879

At a meeting held this day the following was adopted:

Resolved, That we hereby ratify and heartily endorse the proceedings of the first miners' meeting, held in this district on the 8th day of July, 1879; also the subsequent change of name from "Pitkin" to Ruby District, so as to avoid confusion of localities, and repeal all subsequent regulations in conflict therewith.

It was moved and carried that all that section of Gunnison County, drained by the waters of Ohio Creek, Coal Creek and Anthracite Creek, from its head to a distance of fifteen miles, below Brennan's Lake shall be known and is hereby organized as Ruby Mining District.

A committee was appointed to draft by-laws, rules and regulations of the camp, composed of C Christopher, A. B. Litchfield, Charles Deferbough, James D May, and Mr. Copley, which were presented at a subsequent meeting.

RUBY MINING DISTRICT.—BY-LAWS, RULES AND REGULATIONS

Be it enacted by the miners of Ruby Mining District in mass meeting assembled, August 12, 1879, that the following laws, rules and regulations governing the location of claims etc., in said district be adopted to-wit:

SECTION 1. The Ruby Mining District shall consist of all that section of Gunnison County, Colorado, drained by the waters of Ohio Creek, Coal Creek, (a fork of Slate river), and Anthracite Creek, from its head, including Ruby Creek, for a distance of fifteen miles below Brennan's Lake.

SECTION 2. The officers of this District shall consist of a Recorder and Secretary, the Recorder to be ex-officio secretary and shall keep the records of all meetings

SECTION 3. We hereby adopt the United States Mining Laws of May 10 1872, with all acts and amendments thereto, and the Colorado Mining Laws, with the following local rules and requirements.

SECTION. 4. A mining claim located after the adoption of these laws, whether located by one or more persons, may equal, but shall not exceed fifteen hundred feet in length along the vein or lode. No claim shall extend more than 150 feet on each side of the middle of the Vein, at the surface; the end lines of each claim shall be parallel to each other.

SECTION. 5. Any location or certificate of location of a lode claim which shall not contain the name of the lode, the name or names of the locators, the date of location, the number of lineal feet claimed on each side of the discovery shaft, the general course of the lode, with a discovery stake that will at least square three inches, and such other description as shall identify the claim with reasonable certainty, shall be void.

SECTION. 6. Such surface boundaries shall be marked by six substantial posts, hewed and marked on the side or sides which are in toward the claim, and sunk in the ground to wit: One at each corner and one in the center of each side line where it is practically imimpossible, on account of bed rock, to sink such posts, they may be placed in a pile of stone, and when in marking the surface boundaries of a claim, any one or more of such posts shall fall by right upon precipitous ground, where the proper placing of it is impracticable, or dangerous to life or limb, it shall be legal and valid to place any such posts at the nearest practical point, suitably marked to designate the proper place.

SECTION. 7. In order to hold the possessory right to a claim, there shall be done not less than $100 worth of work or improvements thereon each year, and for the first year the work or improvements thereon shall be completed within sixty days from date of discovery.

SECTION. 8. Any discovery shaft five feet by three and a half feet, by ten feet deep from the surface on the vein or lode, shall be considered $100 worth of work; or any open cut, cross cut or tunnel five feet in width, which shall cut a lode at the depth of ten feet below the surface, shall hold such lode the same as if a discovery shaft were sunk thereon or an adit, of at least ten feet in along the lode, by five feet wide, from the point where the lode may be in any manner discovered, shall be equivalent to a discovery shaft.

SECTION. 9. The office of Recorder is hereby declared elected for this district, for the year ending August 1, 1880.

SECTION. 10. It shall be the duty of the Recorder to call meetings of the miners of the district whenever a petition is handed him signed by ten or more persons owning lode claims in this district, or the legal representatives of such lode claim owners, requesting him to give notice of such meeting for the purpose of altering or amending the laws of this district or for the consideration of miners' disputes on claims, or for the election of officers, and such notices shall be posted in at least five conspicuous places in the district for at least ten days previous to the meeting, and it shall be the duty of the Recorder to record all location notices upon the payment of his fees. He shall have the right to appoint one or more deputies and shall be entitled to the following fees: For recording quartz mining claims, coal claims, mill sites and tunnel rights, each (2^{00}) two dollars, and for deeds bonds and mortgages, and other instruments of writing, one dollar for the first folio, and 50 cents for each additional folio; and certified copies of location notices shall be furnished for one dollar each.

SECTION 11. Deposits of borax, coal or iron must be entered under the mining laws, under the proceedings required in cases of placer mines. [Copp's Mining decision, 194 and 235.]

SECTION. 12. It shall take at least a four fifth vote from all miners present at any meeting to change, alter or amend the rules regulations or by laws of this district.

CALLED MEETING

At a called meeting of the Miners Association of Ruby District, August 24, 1879, a resolution was adopted denouncing all forceable settlements of miners disputes, and a board of arbitration to be appointed for this purpose, in case of all disputes and differences as to claims and locations

SUMMIT COUNTY.—WILKINSON'S MINING DISTRICT.

SEPT 24th 1879

At a meeting held at the head of Meddow Creek Mr C. J. Witaker was appointed chairman and D. R. Emmett Secretary.

The following resolutions were adopted

1st. That this new mining camp be organized into a Mining District

2d. That the name of the District shall be known as Wilkinson's Mining District

3d. That the boundaries of the district shall be as follows—Commencing at the junction of West Ten Mile creek with Ten Mile river and thence running up West Ten Mile to Block Lake; thence down Block Lake fork of Piney in a north west course to the junction of Big Horn creek with Piney fork of Eagle, thence up Big Horn creek to its head, thence agross the Blue River Range to the head of Rock Creek; thence down Rock creek to its junction with the Blue River, thence up the Blue River to its junction with Ten Mile River; thence up Ten Mile River to the place of beginning

4th. That in working assessments hereafter $5.00 per day per man including tools &c shall be considered the basis for estimating the value of the work done

C. J. WHITAKER, *Chairman*

D. R. EMMETT, *Secy.*

SUMMIT COUNTY.—SWAN RIVER MINING DISTRCT.

At a meeting of the miners on Swan river called this 14th day of February A. D 1880 for the purpose of forming a mining district and making and adopting a code of laws for governing the same the following officers were elected to serve for the term of one year from date:

Mr Isaac Williams, President; Mr N. Burnett Gleason Vice President; Mr Frank Rearden Recorder; Mr Watter Farrar Assistant.

And by vote the following articles were adopted.

ARTICLE First. This district shall be called and known as the Swan river district.

ARTICLE Second. This district shall be defined and bounded as follows; commencing at the point on the Swan river opposite the mouth of Summit gulch and running thence northerly to North Turner creek; thence easterly up North Turner creek and on to the head of

Keystone gulch, thence to western boundary of Georgia district; thence southward along said boundary line to summit of the divide between Swan river and French gulch; thence westerly along said divide to point opposite the head of Summit gulch; thence northerly down Summit gulch to place of beginning

ARTICLE Third. It shall be the duty of the President or in his absence the Vice-President to preside at all meetings of the miners of said district,

ARTICLE Fourth. It shall be the duty of the President or in his absence the Vice-President or in the absence of both the Recorder, whenever requested by any four (4) or more miners belonging to said district to call a meeting of miners therein, to post or cause to be posted in a prominent place in said district a plain notice of such meeting giving at least four (4) days notice of same.

ARTICLE Fifth. It shall be the duty of the Recorder or in his absence the assistant Recorder to be present at all meetings of the miners and act in his official capacity.

ARTICLE Sixth. It shall be the duty of the Recorder to take charge of all records and papers belonging to the district and preserve the same carefully

ARTICLE Seventh. All discoveries made within said district shall have a plain notice posted at the discovery shaft or hole written in plain English giving date of discovery, name of lode, deposit or placer claim and of each and every claimant and stating the number of lineal feet each way from centre of discovery shaft also the number of feet in width and in what direction bearing from said notice

ARTICLE Eighth. All claimants or miners shall have a full year unmolested to perform the annual government assessment on his or their lode lodes or claims providing work is commenced thereon on or before the first day of the year dating from date of discovery.

ARTICLE Ninth. In performing the annual assessment required by the government there shall be allowed for a days labor on all lodes or deposits the following prices.

For working in loose rock and earth $10.00 (ten dollars) per day and in hard rock such as will require blasting $14.00 (fourteen dollars) per day.

ARTICLE Tenth. A hole on any claim within this district that is sunk to the full depth of 10 (ten) feet from the lower part of the rim of same at the surface, which is the depth required by law for true fissure veins with a plain notice or sign posted as described in article 7th (seventh) of these by-laws shall be valid and not subject to relocation for one year from the date of discovery or location, even though mineral may not be found in the hole.

ISAAC WILLIAMS	WILLIAM JOHNS	H. B. TURNER
N. BENNETT GLEASON	CHAS A. THOMPSON	P. S. HARRIS
FRANK S. REARDEN	A. R CLARK	Mr TIBIDAUS
W. R. FARRAR	R. W. WALSH	
GEORGE LYNER	JOHN E. JOHNSON	

SUMMIT COUNTY.—PERU MINING DISTRICT.

MINERS MEETING.

DECATUR, SUMMIT COUNTY, COLORADO, *June* 5th, 1880.

Pursuant to a public notice duly posted a rousing, enthusiastic and very orderly miner's meeting was held at W. L. Sawtell's hotel this evening. The meeting was called to order at 7.40 p. m; W. L. Sawtell chosen chairman; M. A. Lathrop, secretary.

Moved and carried that a committee of five be elected to draft resolutions in regard to staking, working and holding claims and other mining interests of Peru district and present the same for approval at the next regular meeting. S. F. Cowles, Ed. Cane, Geo. B. Semmes, W. L. Sawtell, John F. Leland, committee elected.

Moved and carried that in case any member of the Committee should be unable to be present he be empowered to choose a substitute to represent him in drafting said resolutions. Moved and carried that M. A. Lathrop take up a subscription for the purpose, and procure a suitable cabinet or cabinets for the preservation and exhibition of mineral specimens of this district, and solicit samples, arrange and take care of same, and furnish samples of ores to capitalists, mining exchanges and educational institutions and at the earliest practical convenience place samples of ore from this district in suitable cases on exhibition in some bank or exchange in Georgetown, Denver and Leadville, also receive and answer all correspondence in regard to the same.

Moved by Thomas T. Eyre and by a unanimous vote declared that no Chinaman be employed in any capacity or allowed to remain in Peru district.

Moved and carried that the Secretary Send copies of the proceedings of this meeting to the papers in Denver, Georgetown, Kokomo and Leadville.

CERTIFICATE OF RESOLUTIONS PERU MINING DISTRICT

Your committee after carefully considering the subject under discussion viz; "the staking working and holding of claims and other mining interests," they well knowing that the existing statutes on those points are very explicit yet feeling the importance of some united action whereby disputes and consequent delays in the development of said interests in this district may be avoided, and in order to shape such action your committee would respectfully suggest that a standing committee be elected having certain powers granted them to act and duties to perform. Therefore be it

Resolved That a standing committee of five practical miners shall be elected at a regularly called meeting whose duty it shall be to thoroughly investigate all mining disputes presented to them in writing and decide upon the same according to their best judgment.

ARTICLE 2d. That in case said contestants are dissatisfied with the decision of the standing committee they may appeal to the next regular miner's meeting by signing articles of agreement to abide by the majority vote of said meeting such vote to be considered final.

ARTICLE 3rd. That the chairman of said committee shall be empowered to call a miners meeting whenever a majority of said committee deem it expedient by posting at least two written notices in conspicuous places for not less than three nor more than six days prior to said meeting.

ARTICLE 4th. That any person or number of persons taking a mining claim shall commence work on said claim before the expiration of ten days from the hour of staking said lode or claim, or forfeit all right to protection from the standing committee

ARTICLE 5th. That in staking a mining claim the general directions and distances with date and name of said claim shall be stated on the stake.

ARTICLE 6th. That any person or number of persons staking a mining claim of 150 feet wide by 1500 feet in length or less shall be protected in the exclusive right for sixty days, to prospect said ground and sink his ten feet hole, if said party conforms to Article 4th

ARTICLE 7th. That after work has been commenced on a mining claim, said claim shall be worked expeditiously until finished, and tools to remain in the hole until completed, said tools to be plainly marked.

ARTICLE 8th. That any person or number of persons proven to have molested or feloniously taken tools from said holes or workings, the same shall be reported at the next regular miner's meeting for their action.

ARTICLE 9th. That any person or number of persons staking a mining claim that has been forfeited according to law, shall be protected in his rights while conforming to Article 4th

ARTICLE 10th. That in case a mining claim is forfeited the parties restaking said claim shall preserve the original stakes, if there be any and such old stakes shall be accepted in evidence in questions of dispute.

ARTICLE 11th. That these resolutions shall take effect from the time of their adoption.

W. L. SAWTELL
GEO B. SIMMS
EDWARD CAIN
JOHN F. LELAND

Moved that any of the preceding articles may be amended or annulled at any future meeting, carried.

The preceding resolutions were adopted by a regularly called miner's meeting of Peru District held at W. L. Sawtell's Hotel, Decatur, Summit Co. Col June 12th 1880

W. L. SAWTELL, *Chairman.*

M. A. LATHROP, *Sect*

CLEAR CREEK COUNTY.—ATLANTIC MINING DISTRICT.

The Atlantic District is a new mining District of Clear Creek County, formed in June 1880. The following are the published minutes of the organization meeting of the miners, held at the office of D. J. Ball in Empire.

Whereas, we, the miners and property holders in the new camp which comprises a part of the western portion of Clear Creek County, Colorado, have by prospecting, development and assays proven the existence there of rich silver and gold ores in true fissure veins, and, as we believe, in great quantity; and being desirous of forming a new district and establishing certain rules and miners' laws for the protection of the people of the district, do hereby declare in public meeting: First: That a new mining district in Clear Creek County is hereby organized, the boundaries of which shall be as follows: Commencing at a point in the centre of Middle Clear Creek due south of J. Musser's cabin; thence westerly along the centre of said Middle Clear Creek to a point where Jones' wagon road crosses said creek; thence south westerly along the line of said Jones' wagon road to Jones' pass; thence following the summit of the Snowy Range northeasterly through Vasquez Pass and Berthone Pass to the summit of Mt. Flora, thence southerly on a direct line to the place of beginning. Second, That the name of said mining district shall be Atlantic, and shall be (so?) known and specified in all records of property discovered therein. Third, That nothing herein enacted shall interfere or prejudice any rights heretofore lawfully acquired within the boundaries of this district. Fourth, That a committee of three citizens be appointed to select a site for a town at some point on Middle Clear Creek which will best accommodate the camp. Fifth, That the name of the town shall be Atlantic. Sixth, That the committee on town site shall consist of Henry M. Cline, George S. Russell and Wm M. Moore, and that they proceed immediately to select and survey the Town of Atlantic, and be authorized to assess the citizens for the necessary funds to pay expenses. A number of miners laws in regard to the holding of town lots, cutting timber, grazing of stock and cattle and other matters were passed.

B. O. RUSSELL, *President.*

E. C. GUIBOR, *Secretary.*

CHAFFEE COUNTY.—CHALK CREEK MINING DISTRICT.

CONSTITUTION OF THE MINER'S ASSOCIATION CH'LK-CREEK MINING DISTRICT.

PREAMBLE

We miners and mine owners of Chalk Creek Mining District, Chaffee County, Colorado, in order to secure the mining claims of said district from molestation and depredation by men of unprincipled character, do hereby formulate the following constitution for the government of our actions, binding ourselves, each and every one, under penalty of being expelled from the Association and branded far and wide as a coward and a person unfit for the communion of honest men, should we in the least, knowingly or wittingly, fail to uphold and support this, our constitution or the actions of bodies regularly constituted under it, all of which shall be as lawfully right as may be within our power.

SECTION 1.

1. The Association shall be known as the Miner's Association of Chalk Creek Mining District

2. The association shall be formed, as near as may be, of two-thirds of the men interested in mining pursuits in Chalk Creek Mining District, Chaffee County.

3. The officers of the association shall be a President, two Vice Presidents, Secretary and Treasurer.

4. The duties of the President of the Association shall be to preside at all meetings of the association, decide in cases of a tie and call meetings as elsewhere provided for.

5. The duties of the Vice Presidents shall be to take and fill the position of President upon the absence of that officer.

6. The duties of the Secretary shall be to keep a full and faithful record of all proceedings of the association; also embodying in his minutes a digest of the minutes of the secretary of the Executive Committee.

7. The duties of the Treasurer shall be to receive, collect and disburse monies in behalf of the association and to keep a true report of his action. in relation to his office.

8. The term of office for all officers known in this Constitution both in the general association as a whole, and by the Executive Committee as a part, shall be one year from date of election, unless sooner removed.

9. Just cause for removal from office shall be failure to support the Constitution, or negligence in official duties

10. The association shall have one regular meeting on the Saturday of the third week in July of each year; but meetings may at any time be called by the Executive Committee at said Committee's discretion, or by a petition signed by fifty of the members of the Association and presented to the President of the Association.

11. A proper notice shall be exhibited in prominent places throughout the district, at least two weeks before each regular annual meeting and one week previous to all call meetings; shall in all cases be signed by the President and secretary of the Association.

SECTION 2.

1. At each regular meeting of the Association a committee of twelve shall be appointed, to be chosen from out the Association; said committee to be called "The Executive Committee of the Miners Association of Chalk Creek Mining District."

2. Each member of the Executive Committee shall, within two weeks subsequent to election be required to swear to the following oath before a notary public, under penalty of being expelled from the association.

OATH

I ——— do hereby most solemnly swear before God and man to perform the duties of my office in as honest and truthful a manner as is within my power without the least equivocation or evasion whatsoever, so help me, God.

3. Within three weeks subsequent to election, the Executive Committee shall have a meeting for the transaction of business and the election of officers.

4. The officers of the Executive Committee shall be a President, Secretary and Treasurer.

5. The duties of the President shall be to preside at all meetings of the Committee, decide in cases of a tie vote and call meetings as elsewhere provided for.

6. The duties of the Vice President shall be to fill the position of President when that officer is absent.

7. The duties of the Secretary shall be to keep a true and faithful record of all proceedings and to hand the same to the Secretary of the Association when the latter officer may require him to do so.

8. The duties of Treasurer shall be to receive Monies from the Treasurer of the Association upon presenting a written order to that officer from the President of the Executive Committee, and disburse the same in behalf of said committee. It shall be his duty to keep a correct record of all receipts and expenditures, and transmit the same to the treasurer of the association, when the latter officer may require him to do so.

9. A quorum for the transaction of business by the Association as a whole or the committee as a part, shall consist of two thirds of the membership.

10. A majority vote shall be necessary for the passage of any vote or other business before the association or the executive committee

SECTION 3.

1. The Executive Committee shall be ready and willing at all times to hold meetings when requested to do so by persons having mining disputes for adjudication.

2. The Executive Committee shall be a power of arbitration in all mining disputes brought to it for a settlement.

3. The proper person to whom mining disputes shall be brought is the President of the Executive Committee, who shall, upon such information, call a meeting of the committee, which shall upon requisite information, appoint an examining Committee of three, chosen from their own number, Said Committee to be placed before the contending parties for rejection or acceptance. Any rejected member shall be replaced by others, chosen by the Executive Committee from their own body until an examining committee shall be found acceptable to both the contending parties. If none such can be found, then the Executive Committee shall appoint three members from their own body who shall proceed to examine into all particulars concerning the dispute brought before the Executive Committee, using all care and descretion and proceeding with all possible dispatch. The examining committee shall, within one week, from appointment, call a meeting of the Executive Committee through its President, and lay before the committee assembled their report. The Executive Committee shall then proceed to deliberate upon the case, and shall, within as short a time as they shall deem possible, give and enforce their decision to the disputants. Should any point require further elucidation before judgment can be reached, then the Examining Committee shall make further inquiries, to be embodied into another report.

4. The Executive Committee shall, at each regular meeting of the association, if so voted by that body, present a report of their actions from the time of the last report.

5. The Executive Committee shall have the power to use what measures it sees fit to carry into effect its decisions, if necessary, calling for help upon members of the association, who shall furnish them such help as they shall deem necessary.

6. This constitution is subject at any time to amendment, by a two-thirds vote.

7. Giving our every effort to act with due prudence and deliberation in supporting this constitution and the actions of the bodies regularly constituted under it, we subscribe ourselves to it as the exposition of our will.

I hereby certify that the above is a true copy of the original constitution as adopted, now on file in my office.

F. E. TYLER

ALPINE, COLORADO *Sept* 2 1880.

ALPINE MINER'S MEETING

LAND & TYLER'S OFFICE ALPINE, *July* 24 1880

The entire committee were sworn, as per provision of the Constitution, by notary public Maud, to proceed to election of officers

William Matheson was elected President. J A J Chapman Vice President F E Tyler, Secretary S. E. Land Treasurer.

After general remarks concerning the object of the meeting the following motion was passed:

It is the sense of this committee that when a prospector has discovered float or other indications of a body of mineral, he shall be Upheld in a location on such grounds, he being required to expend two hundred dollars on such claim annually, in all other respects to act with strict regard to the State and National laws.

Upon presentation, the following paper was adopted:

1. We, the Executive Committee of the Miners' Association of Chalk Creek Mining District, having justice and equity to all men for our object, hereby make the following by-laws and regulations for the government of ourselves and others in the prevention and settlement of mining disputes in said Chalk Creek Mining District.

2. These by-laws and regulations can be amended at any time the Committee see fit, following the mode prescribed by the Constitution of the general association.

3. Such by-laws and regulations as ordered by this Committee may, from time to time, be published in such manner and form as the Committee sees fit, for the enlightenment of the members of the Association and the public in general.

4. Such statutes relating to the Mining Code as may be passed from time to time by the National and State Legislatures, shall be published by this Committee as soon thereafter as may be possible.

5. There shall be a Schedule of interpretations of the existing mining laws, as may be the sense of the Committee, kept by the Secretary of the Committee; said Schedule may be added to as necessary or the sense of the committee shall dictate.

6. For any and all expenditures of the Committee, orders shall be given to the Treasurer of the Committee, endorsed by the President and Secretary of the Committee, which orders shall be transferred, when required, to the Treasurer of the Association.

7. When members of the Committee shall be required to attend to business relating to the Association, they shall receive four dollars per day and remuneration for such other expenses as the Committee shall see fit.

8. No member of the Committee shall be excused from official duty except by vote of the Committee.

9. One regular meeting shall be held monthly on the Saturday of the third week.

10. Previous to any meeting the members shall be notified by the Secretary of the Committee.

Upon motion, the following Schedule was adopted:

1. A years assessment shall consist of the expenditure of $100.

2. A day's labor shall be valued at four dollars, and may be considered in respect to the annual expenditure of $100

3. In contract work only the actual amount of lawful money paid to the contractors shall be counted in the labor of the annual expenditure of one hundred dollars.

4. Any excess in the required annual expenditures of lodes Cannot be applied to the requirements of succeeding years, except in cases of patents.

5. Beside the assessment of ten foot face on the vein, required during the sixty days succeeding discovery, there must also be expended on the claim, sufficient labor, before the expiration of the calendar year, to complete the required years' assessment of one hundred dollars.

Adjourned till July 31, at 7 o'clock

F. E. TYLER, *Secretary.*

No mining laws were passed at the meeting of July 31.

MINUTES OF MEETING

LAND & TYLER'S OFFICE, ALPINE, COL., Sept 4 1880

Regular Meeting

At a meeting of the Miners' Association of Chalk Creek District, this day, (Sept 4 1880) the following resolution was adopted:

1. *Resolved,* That a tunnel claim or location under the statutes of the Federal Government embraces fifteen hundred feet by three thousand, and the owners of tunnel claims or locations have undisputed rights to all veins or lodes existing in said claims, not located prior to the date of said tunnel, claim or location.

2. That, locations made within the boundaries of tunnel claims by other parties than those interested in the tunnel claim after the location and commencement of work and while the same is being diligently prosecuted for the development of said claim, are invalid.

F. E. TYLER, *Secretary.*

Explanatory

All cases of disputes concerning locations and ownership of mining property coming within the jurisdiction of the Miners' Association are referred to the Executive Committee named. Papers and persons are brought before this Committee, which sits in Judicial Capacity, testimony on both sides taken and the questions at issue adjudged. The decision is reported to the general association and the Marshal, by authority, issues the following notice to the disputants, which are handed them in person:

Marshal's Notices

The following are copies of Marshal's notices to disputants, under the decision in case, of the Executive Board, appointed under the constitution and by-laws of the Miner's Association of Chalk Creek

ALPINE COLORADO, ——— 1880

To Mr. ——— ———

DEAR SIR According to the decision reached by the Executive Committee, Miner's Association, Chalk Creek District in the dispute concerning the ——— Lode, the Committee finds Justice and right upon the side of ——— ——— and the general association will so hold, and it is my duty as marshal of said association to inform you of the verdict and request you to abide by it, as it is the general will of said association.

Yours very Respectfully

F. E. TYLER, *Marshal.*

Notice No. 2.

ALPINE COLORADO, ——— 1880

——— ———, Esq

DEAR SIR: If the contents of the previous notice handed you by myself are not immediately complied with, the decision therein contained will be enforced according to the Constitution.

Yours very respectfully

F E. TYLER, *Marshal.*

Explanatory

Upon failure of the parties to comply with the first notice, after a limit of two weeks, the second notice is then issued, and the order is preemptory. Upon further refusal to obey, the Marshal is empowered to summon to his aid a possee of the members of the association and proceed at once *under arms* to cause a forcible ejectment of the parties remaining in possession of the property in dispute.

GUNNISON COUNTY.—PITKIN OR QUARTZ CREEK MINING DISTRICT.

LAWS AN REGULATIONS OF THE PITKIN MINERS' & MERCHANTS ASSOCIATION

The first meeting was held August 7 1880. The following is an abstract the proceedings; as taken from a a newspaper report

THE MINERS' MEETING.

Mr. John T. Dixon was elected temporary president, and Frank P. Sheafor temporary secretary, but the latter not being present, William Crawford was nominated and elected.

A committee on permanent organization, consisting of Messrs. Hart, Herzberg, Mills, Ferry, Ebey, McDaniels, Dixon, Fulton, Cornwell and Clemes was nominated and elected.

The committee on permanent organization, through their chairman, Mr. Juan S. Hart, and announced themselves ready to report.

The report of the committee on permanent organization was then read. It provided for a roll of members, for the election of a president, two vice presidents, secretary, treasurer, advertising committee, committee on mines and visitors, committee on freights, and a committee on ores. The report was accepted and the committee discharged.

Those desiring to enroll themselves as members of the association were requested to give their names, and the following responded:

John T. Dixon & eighty seven others

It was moved and seconded that the secretary be authorized to solicit more signatures. Carried.

The meeting then proceeded to the election of permanent officers and members of the following committees;—advertising, mines & visitors, freights, and ores.

Messrs. Ferry, Hart and Chisholm were elected a committee on constitution and by-laws, to report at the next session, and the meeting then adjourned until this evening.

SECOND MEETING.

AUGUST 14 1880

Prest. Hart called the meeting to order, and the roll was called by Secretary Crawford.

On account of the small number present and the importance of the meeting, Mr. Humphreys moved to adjourn.

This motion was after some discussion withdrawn.

Messrs. Wm. Marders, W. H. Vance, C. M. Cate, C. M. Humphreys and Joseph Karnaley thereupon signed the roll.

Mr. Mills moved to proceed to hear the report of the committee on constitution and by-laws.

The president decided that the minutes should be first read.

Mr. Culton thought Mr. Humphreys should be allowed to repeat his motion to adjourn.

On motion of Mr. Chisholm the reading of the minutes was dispensed with, much to the relief of ye secretary.

The Committee on Constitution and by laws then presented their report, which was discussed by section.

Mr. Mills moved that the report be placed before the house for consideration.

After some discussion carried.

It was moved and carried that the report be acted on seriatim.

The committee then reported the name as the Miners' and Merchants' Association, of Pitkin, which provoked considerable opposition and discussion, and was finally, on motion of Mr. Cornwell, changed to Miners' and Merchants' Co-operative Association.

(The constitution and by laws as amended are given further on.)

Sections 2, 3, 4 and 6 of the constitution were adopted, and 5, 6, 7, 8 and 9 were laid over until the next meeting.

Two amendments to the by-laws were carried, one by Mr. Sugget that a two-thirds vote of those present should be required to make any alteration in the constitution and by-laws, and one by Mr. Stevenson that notice of any amendment should be given at the meeting prior to that at which action should be taken.

Articles 1, 2, 3 and 4 of the by-laws were laid over until the next meeting; article 5 was adopted; article 6 was adopted; article 7 was adopted, which wound up the report.

Mr. Smith then moved to proceed to the election of officers under the constitution. The motion was put and carried.

Mr. Stevenson nominated Mr. Clemes, and Mr. Patterson nominated the present president, Mr. Hart.

A lively discussion now took place, some claiming that the present officers were permanent and others opposing. A motion by Mr. Culton to reconsider the last vote was put and carried, and then on motion of Mr. Humphreys the meeting adjourned until this evening at 8 o'clock. The president, previous to adjournment, was authorized to appoint a committee to watch the man who kept the key and to furnish lights.

THE M & M ASSOCIATION

AUGUST 21 1880

The association met in the Town Hall on Saturday evening, August 21, a small number being present. The President Called the meeting to order

The question as to what number Constituted a quorum was discussed, some thinking it better to adjourn until the following Saturday

Mr. Chisholm moved an amendment to the by-laws, that twenty Constitute a quorum.

Mr Shumate moved to make the number fifteen, which motion was lost.

The original motion was then Carried.

Mr. Sheafor moved that a quorum be declared present, and the meeting proceeded to business. The motion was Carried.

The minutes were read, amended, and, on Motion of Mr. Stevenson, adopted.

Section 9 of the Same article was adopted

Sections 1, 2 and 3 of the by-laws were adopted.

Section 4 was amended and adopted.

Notice of amendment to section 3 of article 4 was given by Mr. Crawford.

The Constitution and by-laws, as amended and adopted, are as follows:

CONSTITUTION AND BY-LAWS OF THE PITKIN MINERS' AND MERCHANTS' ASSOCIATION

Preamble

Recognizing the necessity of a definite organization of the Miners' and business men of the town of Pitkin and the Quartz Creek Mining District, for furthering the interests of the Camp and developing its resources, and for making rules and regulations to govern the district, we, the miners and business men of Pitkin, do hereby form ourselves into such an organization, and adopt the following Constitution and by-laws for our better Government:

ARTICLE I

This organization shall be called and Known as the "Pitkin Miners' and Merchants' Association".

ARTICLE II

The Officers of this Association shall consist of a President, two Vice Presidents, a Secretary, a treasurer and the following Committees: Of twelve on Mines and Visitors; a Committee of three on advertising; a Committee of three on freights; a committee on ores, to include all the assayers, and a Committee of three on finances.

ARTICLE III

These officers and Committees shall be elected for a term of three months.

ARTICLE IV—*Committees*

SECTION 1—*President*—It shall be the duty of the President to Call to order and preside at all meetings of this association

SECTION 2—*Vice-Presidents.* It shall be the duty of the Vice Presidents to assume the duties of the President in his absence.

SECTION 3—*Secretary:* It shall be the duty of the Secretary to keep minutes of all meetings and to read the same at such meetings

SECTION 4—*Treasurer:* It shall be the duty of the Treasurer to receive and hold all moneys of the association subject to the order of the Chairman of the Finance Committee.

SECTION 5. *Advertising Committee:* It shall be the duty of the advertising Committee to receive and insure publication of any letters or Communications regarding the resources or development of the Camp.

SECTION 6—*Committee on Mines and Visitors.* It shall be the duty of the Committee on Mines and Visitors to Keep themselves informed as to the location and Value of the Mines of the district, and to invite the inspection of our Mines by any responsible Visitors who may Come to the Camp with a view of purchasing property or erecting machinery for the treatment of ores.

SECTION 7—It shall be the duty of the Committee on freights to report at each meeting the lowest bids for hauling ores to the end of the track.

SECTION 8—It shall be the duty of the Committee on ores to report the receipt or promise of ore sufficiently valuable for Shipment.

SECTION 9—It shall be the duty of the Finance Committee to authorize expenditures and to give orders on the Treasurer for the same

ARTICLE V—*Amendments*

This Constitution shall be subject to amendment and addition at any meeting by a vote of two-thirds of the Members present, notice of such amendment or addition to be given at one Meeting and acted on at the following one.

By Laws.

First—*Admission fees:* An admission fee of 50 cents shall be exacted of all who may sign this constitution and by-laws.

Second—*Dues:* A monthly fee of 50 cents shall be collected from each member of this association.

Third—*Assessments:* In Case of extra expenditure being authorized by the Chairman of the Finance Committee, an assessment sufficient to Cover such expenditure shall be collected by the Treasurer.

Fourth—*Meetings:* The meetings of this association shall be held on the first and third Saturday of each month, at 8 p. m., at the town hall.

Fifth—*Salaries:* No officers or Committees shall receive any pecuniary Compensation for personal services.

Sixth—*Extra meetings:* Extra meetings May be called by the President on a written request to that effect, signed by five members of the association

Seventh—*Changes or additions to the by-laws.* Any changes in or additions to these by-laws may be made at any meeting by a vote of two thirds of the members present, notice of such change or addition to be given at one meeting and acted on at the following one.

On motion the Consideration of district rules were laid over till the next meeting

GILPIN COUNTY.—HAWKEYE MINING DISTRICT.

LAWS OF HAWKEYE MINING DISTRICT

Officers There shall be one President one Sheriff and one Recorder who shall be elected annually on the last Saturday in April by the legal voters of the District and hold their respective offices until their successors are elected and qualified each of whom shall take an oath to faithfully and impartially perform their respective duties according to law and the best of their ability and each shall have power to appoint one or more deputies

Elections.—The recorder and sheriff together with three other electors shall compose the board of electors each of whom shall take an oath that they will studiously endeavor to prevent all fraud and deceit in conducting the same But if the Recorder or Sheriff should be a candidate or fail to attend the voters present shall fill their vacancies by other voters two of whom shall be clerks and the other three judges of said election. If there shall be any vote challenged by any elector either of the clerks or judges shall administer any oath necessary to determine the right of said vote. Polls ared to be open at 9' oclock A. M. and close at six o'clock P. M. at the close of the polls the clerks and judges shall canvass the votes and the persons receiving the highest number of votes for the respective offices shall be declared duly elected and said Board shall issue certificates of election to the several officers according to their respective offices

Voters Any white person who has attained the age of sixteen years and in the district shall be entitled to a vote at all meetings and elections. At all elections the vote shall be by ballot and at all meetings as the President may direct

Sheriff There shall be elected by the qualified voters of this District a Sheriff who shall hold his office until the next annual election and until his successor is elected and qualified whose duty it shall be to serve all processes issued by the Court and before entering upon the duties of said office he shall give bond with good and sufficient sureties to the acceptance of the Court for the faithful performance of his said duties He shall be conservator of the peace and take an oath that he will faithfully discharge all and singular the duties pertaining to said office

Vacancies Any officer resigning or removing from the District shall be required to deposit all Books papers money &c belonging to the District or pertaining to his office with the remaining officer or officers of the District which officer or officers shall immediately call an election to fill such vacancy

Courts The president shall be Judge of the Miners Court of the District and any person having a cause of action shall file with the President the cause of Complaint written in plain English language and a prayer that the adverse party may be summoned to appear and answer to said Complaint and if the Defendant appears he shall file his answer in writing as above stated whereupon the Judge shall summon the Defendant to appear at a given time and place mentioned in said Summons which shall not exceed ten days from from the issue of said Summons And if the Defendant fails to appear the Judge may proceed to try the cause and render Judgment according to law and evidence and if the parties appear they may submit their cause to the Court or three arbitrators one of whom shall be chosen by the parties respectively and if the parties or their referees cannot agree upon a third arbitrator the Judge shall appoint a third arbitrator and when the parties so submit their case to referees as aforesaid the decision or award shall be final and the Judge shall proceed to enforce said award as upon Judgment at law. If either party shall require a jury the Judge shall write the names of twelve judicious disinterested electors of the District and each party may strike from the list alternately beginning with the Plaintiff one name until only six remains and the Judge shall issue his venire for a Jury of the aforesaid six and when assembled each party shall be entitled to one peremptory challenge and also a challenge for good cause shown by the testimony of the jurors or other disinterested person and the Sheriff shall fill the panel with talesmen for all vacancies that may happen by reason of non attendance or challenging of said Jurors. All juries shall be sworn by the Judge to try all causes according to law and evidence. Either party may have an adjournment not exceeding ten days upon proper cause shown under oath. Costs in all cases shall be taxed as the referees Court or jury trying the same may direct. Either party may have the right to an appeal from the from the decision of the Court or Jury of six if gives notice of an appeal at the rendition of the Judgment or verdict and pay all costs within five days from the rendition of the Judgment or Verdict and when the appeal is so taken the Judge shall write the names of twenty four good disinterested voters of the District as in the aforesaid jury list from which each shall strike therefrom as in the jury of six until only twelve remains and proceed in all respects the same as in the aforesaid Jury of six and the decison of the said Jury of twelve or a miners meeting shall be final and the Judge shall proceed to final judgment and award execution according to law

All legal claims whether in law or in equity shall be fairly tried by the referees Court or Miners Meeting as the parties may elect and judgment shall be rendered by the Court accordingly upon which said judgment the party recovering shall be entitled to interest at the rate of ten per cent per annum from the date thereof until paid and the Court shall proceed to issue execution thereon for the amount found due with interest and legal costs but any rate of interest agreed upon in writing between the parties shall be lawful

The Judge of the Miners Court shall keep a docket of all proceedings had before him shall be allowed two dollars and fifty cents a day for presiding at each trial (and when the Recorder shall preside in his stead he shall be entitled to a like sum shall be allowed twenty cents per hundred words for making out all necessary papers except writs of original service and executions for each of which he shall be allowed fifty cents for rendering judgment fifty Cents and making up docket twenty cents per hundred words for each transcript duly certified twenty cents for each hundred words

The Judge Recorder and Sheriff are hereby empowed to administer all oaths and to perform all other duties pertaining to their respective offices and which are required by law

Notice of Election and Meetings It shall be the duty of the President to give at least ten days notice of the time and place of holding any election of officers of the District naming the officers to be elected and shall call a meeting of the miners upon the application of five legal voters of the District stating the object for which said meeting is called and he shall preside at all meetings and perform all other duties pertaining to his said office

Deputies The President shall have power to deputize any one or more of the miners to serve papers &c. that he may deem proper and any person so deputized shall proceed to discharge the duties required of him by law upon the commencement of any suit the judge may at his discretion require the Plaintiff to.Deposit money or give security for all costs that may accrue

Judgment & Execution A Judgment shall be a lien upon all property of the Defendant from the time of its being rendered and the Judge shall issue execution forthwith upon Judgments including interest and costs which shall be made returnable ten days after the date thereof and the Sheriff shall give public notice of the time and place of sale of all property levied upon by him which shall be by written advertisement posted in three public places in the District at least six days before the sale thereof and such property shall be sold to the highest bidder at public out cry to satisfy execution and accruing costs but if the said property cannot be sold for want of bidders unless at great sacrifice or if the Plaintiff order him so to do the officer having charge of the sale may adjourn said sale any length of time not exceeding ten days. In all cases of real estate sold upon execution the defendant shall have the privilege of paying the principal interest and costs with ten per cent per annum thereon and said property shall revert to said Defendant or his legal representatives the same as if such sale had not been made and the officer selling any real estate as afore said shall not execute a deed to the purchaser thereof until after the expiration of thirty days. Common wearing apparel bedding twenty dollars worth of tools and three months provision shall be exempt from execution

Probate The Judge and Recorder shall have power to choose a third person and have probate jurisdiction of a deceased person if said deceased had no relatives within the knowledge of said officers but if the deceased had relatives or creditors in the District they may apply and take out letters of administration by complying with such rules as the President may adopt and property shall be disposed of by the Court or administrator to the best advantage to the creditors and heirs of the deceased and the proceeds paid over to the proper person entitled thereto according to direction of the President

Lawyers No practicing lawyer or any other person having been admitted as such in any state or territory shall be permitted to appear in any cause pending in this District as attorney or agent of any person except he himself is a legal party to said suit and if a lawyer should be a legal party to any suit the opposite party may also employ council in his if chooses so to do but in all other cases lawyers shall not be admitted

Outside Debts No debts or demand of any kind shall be collected by suit in this District which has not originated either in coming to this mining region or since the arrival of such debtor therein

Duties of Recorder &c It shall be the duty of the Recorder safly to keep the books and records of the District and to file and record all proper papers upon payment of his fees and to act as secretary at all public meetings of the District The Books of Records shall be always open to the inspection of all persons never to be taken from the possession of the Recorder. All persons shall be entitled to copy any record at any time and the Recorder shall deliver over all books and records to his successor in office. In case of absence interst or inability to of the Present the said Recorder may act in all cases in his stead He shall be entitled to fifty cents for each deed mortgage or bill of sale or orther writing necessary to be recorded containing one hundred and fifty or less number of words or fraction thereafter in addition twenty five cents

In all cases fees must be paid in advance. Each Deed Mortgage or bill of sale must be witnessed by two witnesses. No transfer of any claim of any kind shall be valid unless the fees are paid for all original records heretofore made in regard to said Claim.

All certificates of claims of any description remaining in the Recorders office upon which the fees are not paid on or before the first day of July next shall be advertised to be sold stating the time and place of sale the number and kind of claim which shall be sold by said Recorder at public sale to the highest bidder after giving ten days notice and if said claim shall be sold for a greater sum than will pay the Recorders fees all overplus shall go into the District Treasury for the use of the District. The purchases at said sale shall acquire a valid title therefor by the Recorder certifying on the back of said certificate a transfer by said sale for which the Recorder may receive twenty five cents from the purchaser in addition to the amount bid for said claim

Writs of Attachment Upon the application of any person holding a legal claim against a non-resident debtor about to abscond or move out of the jurisdiction of the Court or about conveying or concealing his property to the injury of his creditors or secreting himself within the District so that legal service cannot be had or fraudulently conveying or concealing his property to defraud his creditors upon filing and affidavit setting forth any of the aforesaid facts and the amount and nature of his claim and paying or securing the costs as the Court direct the Judge shall issue a writ of attachment to attach all the good and chattels lands and tenements moneys credits and effects of the Debtor within the District Notice of the issue of said writ shall be given by the Plaintiff by posting up written advertisements in five conspicuous places places in said District within twenty four hours after the issue of said writ stating the time and place where said cause will be tried which shall be not less than six nor more than ten days from the issue of said writ and if the Defendant or his legal agent appears he shall have a fair trial and if he fails to appear the Court shall proceed to hiar and determine the case according the law and the equity of the case and render judgment and award execution as in other cases and the property attached by the officer shall remain in possession of said officer until the final determination of said suit and be sold as other property of the same nature upon the execution issued upon such judgment. But if the Defendant is a resident he shall be served with a personal notice

Garnishee Garnishee process may issue as part of the original writ to be served on both Defendant and Garnishee where the Defendant is a resident or separately as the nature of the case may require or it may issue after execution is returned unsatisfied and in either case if the Garnishee shall pay the demand over to the Defendant after legal notice he shall be still held liable to the amount of the Plaintiffs Judgment and costs if he was indebted to that amount when service was made and if in a smaller sum the amount he was indebted at the time notice was served

Writ of replevin Any person being possession of personal property of another the opposite party may file with the Judge an affidavit setting forth the name of the Defendant or Defendants with a description of the property claimed and that he is justly entitled to the possession thereof and that said Defendant or Defendants refuse upon demand thereof to give it up and upon said Plaintiff paying or securing costs to the Satisfaction of the Court the Court shall issue a writ of replevin for said property and a Summons for the Defendant or Defendants to appear before him at a time and place in said summons mentioned to answer unto said Plaintiff for the unlawful detention of said property and the officer to whom said writ is delivered shall take possession of the same and notify the Defendant or Defendants to appear before the Court at the time and place mentioned in said writ to answer unto said Plaintiff for the unlawful detention thereof and if the Plaintiff file a bond with security to the satisfaction of the Defendant or Defendants or the Court within twenty four hours from the service of said writ said property shall be delivered to the Plaintiff and if he shall fail so to do the property shall be returned to the Defendant or Defendants and the Plaintiff and his securities shall be liable on their bond for all costs and damages to be assessed forthwith by the Court or a jury as the parties may elect and if it appear upon the trial of the cause which may be had as in other

civil cases that the right of possession is in the Plaintiff then the Court shall render Judgment against the Defendant for damages and costs of suit accruing to the award of Judgment or verdict as the case may require and issue execution as in other civil cases

Ejectment Any person being in possession of Real property claimed by another the claimant may institute his suit of ejectment which shall be proceeded in as in other civil cases and decided according to the law and the equity of the case and if the claimant shall sustain his action the Defendant shall be removed by order of Court within five days from the trial of the cause and pay all costs and in Default thereof the Judge thereof shall issue a writ of possession or execution as the nature of the case may require. If the Plaintiff fail to establish his case he shall be liable to the Defendant for all costs and damages to be determined as in other civil cases

Liens Any person performing labor or furnishing material for any building claim or other kind of work at the request of the owner or agent thereof shall be entitled to a lien upon the same for the amount of such labor performed or material furnished provided said lien is filed and recorded within thirty days from the time such labor was performed or material furnished and all conflicting liens shall have priority according to their respective origin if filed and recorded as aforesaid

Sunday The officers of this District shall not be compelled to perform any civil business on Sunday

Public Highways Any person obstructing any public road or highway to the hinderment or inconvenience of the public shall be liable to any fine that may be assessed against him or them by the Court or jury together with all costs of suit and moreover be liable to a like fine for every twenty four hours that said obstruction shall remain

Tunnel Claims If any person shall locate a tunnel claim for the purpose of working the same he shall first file a specification of the same with the recorder whose duty it shall be to record the same upon payment of fees.

Said specification shall state the commencement and termination of said tunnel together with the names of the parties interested therein

A square stake shall be placed at its mouth having written thereon the same things hereby made necessary to record. Any person or persons working a tunnel provided he or they shall comply with the requirements of this law shall be entitled to two hundred and fifty feet on each side of the center of said tunnel on all lodes that they are the original discovery of and also fifty feet on each side of the center of said tunnel of all lodes that they are the original discovery of and also fifty feet on each side of the center line of all lodes discovered by other person after the commencement of said tunnel said hundred feet last mentioned shall belong to the owners of said tunnel Claim so soon as said tunnel shall be worked to intersect said lodes and such part of lodes as said tunnel owners are entitled to by this law shall be held as discovery claims The line of all tunnel claims shall be surveyed and plainly staked or marked from the commencement to the termination thereof prior to the commencement of the work every tunnel company shall be required to commence work within thirty days from the time their claim was recorded and shall do at least three months labor for one laborer in each six months or they shall forfeit their claim to said tunnel but not to the claims they have discovered and hold by virtue of such discovery before the time of said forfeiture. Tunnel claims shall have only the right of way across all lodes that may be in the course of said tunnel that is recorded according to law

Towns and villages Any person or persons laying out any village town or city in this District he or they shall be entitled to every tenth lot and shall erect some permanent monument as a starting point and file with the Recorder a plat of said village town or city within fifteen days giving a full description of the starting point the course and width of streets size of block and lots and numbers of each and all things necessary for the location of said village town or city and the Recorder shall record the same upon the payment of his fees

Claims All claims made on lodes by Discovery shall be two hundred feet by fifty wide Measurement in all cases to be horizontal. Gulch claims shall be one hundred feet up and down the Gulch extending from bank to bank. Patch claims shall be one hundred feet square Discovery claims shall be staked and marked as such All legal claims shall be held as vested rights by representing once a year in person by signing their names upon a book kept by the recorder for that purpose in the months of August September and October. Any person shall be entitled to hold one mill site one gulch claim on each gulch one patch claim one building lot and one village town or city lot one lode claim on each lode and one tunnel claim by preemption. Filing claims shall be free and hold for ten days

No claims shall be valid unless taken by a person residing in the vicinity of the Rocky Mountains

No lode or crevice shall be recorded unless the same is exposed by actual work. The discoverer may have sixty days to open & prove the lode and file for recording and no lode claim shall be valid as a preemption until the discovery claim is filed and a name give to said lode

Mill claims shall be two hundred and fifty feet up and down the gulch and from bank to bank and fifty feet up each bank all timber on said mill claims shall belong to said mill claims

Timber All timber on Quartz claims shall belong to the owners of the claims and where lodes run near each other the timber shall be equally divided between the respective owners and timber on all other claims shall belong to the owners thereof

Water companies When water companies are engaged in bringing water into any portion of the mines they shall have the right of way secured to them and may pass over any claim road or ditch but shall so guard themselves in passing as not to injure the party over which ground they pass

Sheriff's fees The sheriff shall receive for his service the following fees towit

Serving summons for each person therein named	.25	Talesmen	.07½
Writ of Mandamus	.50	Service in criminal cases	50
Subpœna for each person therein named	.12½	For each mile travel computed each way	.05
Serving writs of Attachment	.75	Appraisement of property	.75
" " " Replevin	.75	Advertising property besides actual expenses	.75
" Order or Notice of Court	.25	Levying execution	50
Executing order of Arrest	.25	Selling property on execution or order of sale	50
Taking each bond	.25	Making deed for property sold on execution	1.50
All copies necessary to the service for each one hundred words or fraction over or less number of words	.10	Attending Court per day	1.00
		Bringing up prisoners on a writ of Habeas Corpus beside actual expenses	.75
Summoning each Juror	.25		

For all sums made by sale on execution or order of sale not exceeding five hundred dollars 2½ per cent

If made without sale on all sums under five hundred dollars 1½ per cent and over five hundred dollars ½ per cent

All fees not enumerated to be in proportion to those enumerated

Witness and jurors fees per day 2.50

New lodes Owners of newly discovered lodes running parallel and within twenty-five feet of some previously discovered lode shall be entitled to work the same and occupy one half of the surface between the two crevices for waste dirt quartz etc Hereafter no lode

shall be recognized as crossing a gulch and whoever shall discover the course and prove up the lode on the opposite side of the gulch shall have the right of discovery as the law provides and shall also have the right to name the lodes but the lodes staked and claimed across a gulch or an extension of one already discovered on the opposite side shall be legal provided they do not interfer with lodes or claims already recorded or being discovered.

Cross Lodes Owners of cross lodes shall have the right to work their crevice up to the previously discovered lode and one half of the surface for waste dirt Quartz &c

Murder Any person found guilty of wilful murder shall be hanged by the neck until dead and then given to his friends if called for and if not to be decently buried and all other crimes not enumerated in these laws shall be punished as the Court or Jury of men shall decide

Perjury or Theft Any person found guilty of perjury or theft shall receive not more than twenty five nor less than ten lashes on the bare back and banished from the District and their property confiscated to pay cost of prosecuted and damage

Setting out Fire Any person who shall willfully maliciously or through neglect set out any fire in this District or so that it comes into this District and destroy any timber or other property shall be guilty of a misdemeanor and on conviction thereof shall be punished as the Court or Jury may direct and be liable to all parties injured thereby

Nuisances Every act of commission or omission which may affect the health or convenience shall be regarded as a nuisance and the person or persons causing the same shall be liable to a fine of not more than one hundred nor less than five dollars and remain so liable for every twenty four hours the same may continue to be determined by the Court or jury according to the aggravated nature of the offence and it shall be the duty of the officer of the District to see that this section of the law is put in force

These laws shall take effect from and after their adopting and shall not be altered changed or amended without the authority and sanction of a majority of the legal voters of the District at some public meeting legally called for that purpose

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DAKOTA.

CUSTER COUNTY.—CHEYENNE MINING DISTRICT.

In June, 1875, there then being 30 to 40 miners on French Creek in and about Custer, a meeting was held and the Cheyenne Mining District formed. A few laws were passed, and a recorder elected.

On January 5th 1876, the miners again came together. D. K. Snively was elected Chairman, and G. E. Thornton Secretary.

J. P. Harlow offered the following resolution:

Resolved, That all claims on French Creek, held or pretended to be held by persons not now in the Black Hills, are hereby declared to be vacant and open to re-location by citizens of the United States, and those who have declared their intentions to become such.

This was adopted.

Mr. S. R. Shankland moved that claim No. 42 above discovery, belonging to James Saunders, should be reserved, as Saunders was then on his way into the Hills, with a saw-mill. This also was adopted, and then the meeting adjourned until the following Saturday.

According to agreement, the miners came together January 8th 1876, and the following laws were adopted, all previous regulations being declared null and void.

LAWS OF THE CHEYENNE MINING DISTRICT.

SECTION I The Cheyenne Mining District shall extend from discovery, at a point called the Bear Hole, down French Creek as far as White's Rock, where it intersects the Energetic Mining District, and up the Creek from discovery to the source of the creek.

(At a meeting held April 26 1879, at which Cyrus Cole was elected Chairman, and S. R. Shankland, Secretary, Sections I, IV, XV, and others were amended. I give the amendments under each section.)

SECTION 1—Amended April 26th 1879.

The Cheyenne Mining District shall extend from the extreme head of French Creek to a point called White's rocks on said French Creek about one and a half miles below Custer, and 5 miles in width on each side of said creek.

SECTION II—There shall be two kinds of placer claims: gulch claims and hill claims. Gulch claims shall include all banks and bars not more than thirty (30) feet above the surface of the Creek. Hill claims shall include all elevations above the height of gulch claims.

At a meeting held January 15th 1876, with P. J. Keefer in the chair, and S. R. Shankland, Secretary, this section was amended as follows:

SECTION 2—Amended Jan. 15th 1876.

"There shall be two kinds of placer claims, gulch claims and hill claims. Gulch claims shall include all banks and bars not more than 30 feet above the surface of the creek, and 300 feet in length. Hill claims shall include all elevations above the height of gulch claims".

At a meeting held April 30th 1876—D. K. Snively, chairman, S. R. Shankland, secretary—this was again amended, as follows:

SECTION 2—Amended April 30th 1876.

There shall be two kinds of placer claims, gulch claims and hill claims. Gulch claims shall include all ground lying between the first outside rim of adjoining bars on each side of the main channel of the gulch.

Section 2—Amended April 26th 1879.

"There shall be four kinds of claims, to wit: Gulch or Creek Claims, Bar Claims, Hill Claims, and Dry Sag Claims. Gulch or Creek claims embrace all the ground lying between the two rims of the gulch. Bar claims embrace 150 feet in width from the rim of Gulch or Creek claims. Hill claims, Gulch claims, Bar claims and Dry Sag claims shall be 300 feet in length and 150 feet in width, except gulch or Creek claims which shall be confined to the space lying between the two rims".

SECTION III—Gulch claims shall extend 300 feet parallel with the creek and 100 feet back on each side.

(This section was stricken out at the meeting held Jan. 15th 1876.)

SECTION IV—All citizens of the United States, or who have declared their intention to become such, may locate a claim in this district; but no one shall be entitled to hold more than one gulch claim, nor more than one hill claim by location

Section 4—Amended April 26th 1879.

"Any citizen of the United States, or who has declared his intention to become such, may locate a claim of each character as described in Section 2 of these laws, but no person shall be entitled to hold more than one claim of each kind by location in the same gulch, but in case of sale or abandonment of a claim, a claim can be located in any other gulch".

SECTION V—Location of a claim must be made in person.

SECTION VI—Notice of a claim must be conspicuously staked at each end of the claim, with name of locator, date of location, and nature of the claim plainly written on the stakes.

SECTION VII—Claims must be recorded in 5 days after their location, or continually worked. All recorded claims must be represented by one day's labor every 10 days. Working of one of a company's claims shall be proper representation of all their joint claims. Failure to comply with this section subjects the claim to relocation.

Section 7—Amended April 30th 1876.

"Claims must be recorded in five days after their location or continually worked. All recorded claims must be represented by four days labor in every week."

Amended April 25th 1879.

"All claims must be recorded in 5 days after location or continually worked, and all recorded claims must be worked one day in each week or the same shall be subject to relocation. Work upon any one of a Company's adjoining claims shall be considered proper representation for all claims held by the company adjoining".

SECTION VIII—Claim owners shall have the right to run ditches, canals or tunnels through claims above or below their own, but must leave a sluice head of water in the creek for the working of claims above, and must return the water turned from the creek to its natural channel at the lower end of their claims, unless otherwise arranged between parties interested.

Section 8—Amended April 30th 1876.

"Claim owners shall have the right to run ditches, canals or tunnels through claims above their own, but must leave a sluice head of water in the creek for the working of claims above, and must return the water turned from the creek to its natural channel at the lower end of their claims, unless otherwise arranged between parties interested".

SECTION IX—No person shall be allowed to dump tailings on claims not their own, except by consent of owners.

Section 9—Amended April 30th 1876.

"No person shall be allowed to dump tailings or back water on claims not their own, except by consent of owners".

SECTION X—Pulling up, destroying, or defacing of claim stakes works forfeiture of right to hold claims in this district.

SECTION XI—A recorder of the district shall be elected by ballot on the 8th day of January of each year. His term of office shall be one year, unless sooner removed. It shall be his duty to stake off all claims in the district and number the same. He shall keep a proper book of record, which shall be open to public inspection at any time, in which he shall make a correct entry of all claims presented for record, with name of locator, date of location, and number and nature of claim. He shall issue a certificate for each claim recorded, and shall be entitled to a fee of $1.00 for recording each placer claim.

SECTION XII—The recorder of this district may be removed from office by a two-third vote of a meeting of not less than 75 miners holding claims in this district, for malfeasance in office, or incompetency.

SECTION XIII—Adverse claims, or grievances may be brought before and decided by a meeting of miners of this district sitting as a court of arbitration, or may be decided by a committee of an even number of miners of which number either party in contest chooses one-half.

SECTION XIV—A miners' meeting in this district shall be called by the recorder upon the written application of not less than 10 miners holding claims in the district, and written notice of such meeting shall be posted at least 5 days before such meeting is to take place, in 2 different places in the district.

SECTION XV—The foregoing laws and regulations cannot be altered, changed or annulled, except by a two-third vote of a meeting of not less than 40 miners holding claims in this district.

Section 15—Amended April 26th 1879.

"The foregoing laws cannot be altered, changed or annulled, except by a two-thirds vote of not less than 12 miners holding claims in this district".

SECTION XVI—These laws and regulations shall take effect and be in force from and after their passage.

SECTION XVII—(Adopted April 26th 1879) Any discoverer of a new gulch or channel shall be entitled to an additional claim by right of discovery.

LAWRENCE COUNTY.—WHITEWOOD QUARTZ MINING DISTRICT.

LAWS OF THE WHITEWOOD QUARTZ DISTRICT.

In accordance with a notice published in the Black Hills Pioneer, on the 9th day of December 1876, and with other notices posted in conspicuous places before and after advertising above, of which notice, the following is a copy:

Notice is hereby given that a meeting of the Quartz Miners of Whitewood District, will be held at Gayville, on the 29th day of December, A. D. 1876, at 2 o'clock, P. M., at the house of Thomas Campbell, for the purpose of making local and adopting general laws. It is of vital importance that all those who have any interest in that respect should be present. "Whitewood District" is that portion of the Black Hills which embraces Whitewood Creek and all its tributaries.

T. H. CARR, "*Recorder*"

The meeting convened in pursuance to call of notice at 2 o'clock P. M., at the house of Thomas Campbell, at Gayville, in the Black Hills, D. T.

On motion of T. H. Carr, Mr. D. E. Costigan was elected temporary president of the meeting.

On motion of John M. Murphy, Mr. T. H. Carr was elected temporary secretary of said meeting.

On motion of S. P. Romans, Mr. D. E. Costigan was chosen permament president and T. H. Carr permament secretary.

On motion, the president appointed John M. Murphy, S. P. Romans, John Bell, Henry Spruce, and George L. Houghton as a committee of five, with the first named as chairman, "to draft local, and to adopt general laws for this district," and they were instructed to report at an adjourned meeting to be held December 30th 1876. Upon this, the meeting adjourned.

On December 30, the miners again came to-gether, and the committee presented their report in writing, which upon being read, was adopted section by section. It was as follows:

Be it enacted by the Quartz Miners of Whitewood Mining District in mass meeting assembled December 30th 1876. The following laws rules and regulations governing the locations of quartz claims in said district, to-wit:

SEC. 1. Whitewood District shall consist of all that section of country drained by Whitewood Creek and tributaries. The officers of Whitewood District shall consist of a Recorder and Secretary. The Recorder to be *ex-officio* Secretary and shall keep the records of all meetings.

SEC. 2. We hereby adopt the United States mining laws of May 10th 1872, with acts, amendments, thereto, with the following local rules and requirements.

SEC. 3. From and after the approval of these laws, all citizens of the United States of lawful age and those who have declared their intentions to become such, under the regulations specified by law shall have the right to locate claims in Whitewood mining district upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits.

SEC. 4. A mining claim located after the adoption of these laws, whether located by one or more persons, may equal but shall not exceed 1,500 feet in length along the vein or lode; no claim shall extend more than 150 feet on each side of the middle of the vein at the surface. the end lines of each claim shall be parallel to each other.

SEC. 5. In order to entitle any person or persons to record any lead, lode or leads of quartz claim either of gold, silver, cinnabar, lead, tin, copper or other valuable deposits, there shall first be discovered a vein, lode or mineral deposit, lying in place, upon the ground claimed, the said claimant or claimants shall place a post or monument at each corner of the land claimed; also a post or monument at each end of the land claimed, marking the centre of the land claimed; also a post or monument at the centre of each side line: also at discovery shaft, a stake or board upon which shall be designated the name of the lode or claim, the name or names of the locators, the number of feet of ground claimed and in what direction from the point of discovery, and the number of feet claimed on each side of the vien or crevice, and such a description of the claim by reference to some natural object or permament mound as will identify the claim, such as prominent buttes, the confluence of streams and other land marks in the vicinity of the mines.

SEC. 6. A copy of a location notice of a mining claim tunnel site or mill site, shall be handed to the Recorder of this district within 20 days from the posting of said notice on the claim or the location shall be held as abandoned.

SEC. 7. In order to hold a possessory right to a claim, there shall be not less than one hundred dollars ($100) worth of work done thereon during each year, and in performing such labor, 500 cubic feet in picking ground, and 125 cubic feet in blasting rock shall be estimated at one hundred dollars.

SEC. 8. It shall be the duty of the Recorder to call meetings of the quartz miners of this district, whenever a petition is handed him signed by ten or more persons owning quartz claims in this district or the legal representatives of such quartz claim owners, requesting him to give notice of such meeting for the purpose of altering or amending the laws of this district or for the election of a quartz recorder, and such notices shall be posted in at least five conspicuous places in the district for at least ten days previous to the meeting, and it shall be the duty of the recorder to record all location notices upon the payment of his fees. He shall have the right to appoint one or more deputies and shall be entitled to the following fees: For recording quartz claims, mill sites, and tunnel rights, each two dollars, and for deeds, bonds, mortgages and other instruments of writing, one dollar for each folio and fifty cents for each additional folio, and certified copies of location notices shall be furnished for one dollar each.

(To this, the following amendment was offered, carried and incorporated in the section:—"That any meeting hereafter called, it shall require a two-thirds majority of the quartz miners present to decide any measure before said meeting.")

SEC. 9. The District Recorder is hereby authorized to administer oaths or affimations when the mining laws of the United States require the same, relative to mining purposes.

SEC. 10. The present Recorder, T. H. Carr, is hereby declared elected recorder for the year ending December 31st 1877.

SEC. 11. The records are hereby declared to be the property of the district. The Recorder shall turn over to his successor in office all books, records, papers and documents belonging to his office, and in the event of the organization of a county in this district, he shall turn over to the recorder of the county all the records of his office when such county organization is completed.

On the 6th day of March, 1877, the miners again met and passed this resolution:

SEC. 12—"*Resolved*, That we the quartz miners of Whitewood Quartz Mining District, in mass meeting assembled, re-enact and legalize the laws heretofore passed and adopted in this district and that Thomas H. Carr, the present recorder be elected and is hereby declared recorder of this district for one year from this date".

S. P. Romans was in the Chair, and Geo. S. Houghton acted as secretary.

On the 10th day of May, 1877, the miners again came together, and passed the following:

SEC. 13. "*Be it Enacted by the quartz miners of Whitewood Quartz Mining District, in mass meeting assembled*, That the quartz recorder of said district is hereby authorized to turn over all records, laws, papers and documents, belonging to said office to the Recorder of Deeds of Lawrence county, D. T., within thirty days from date, and the recorder is requested to take receipts for the same when delivered".

S. P. Romans also presided at this meeting, and T. H. Carr performed the duties of secretary.

On April 30th, 1877, Carr received the following:

"T. H. CARR, Esq.

"SIR: Your petitioners would respectfully ask that a meeting of the quartz miners of Whitewood Quartz District, be called in conformity with section (9) of the laws of said district for the purpose of changing a portion of section twelve (12) of said laws, and for the transaction of such businees as may legally come before the meeting".

This was signed by W. M. Bull, James Ryan, John Sinclair, H. H. Reed, E. F. Gallaher, M. Goldman, L. P. Elliott, and D. Jones, and in accordance with the petition, the following notice was given:

MAY 25th, A. D. 1877.

To all whom it may concern:

Notice is hereby given that a meeting of the quarts miners of Whitewood District will be held at the house of Thomas Hanley, in Gayville, on the 8th day of June, A. D., 1877, at 7 o'clock, P. M., to transact important business relative to the records of Whitewood District.

The meeting duly convened and J. H. S. Coleman was elected president and Wm Lardner secretary.

On motion, and by a unanimous vote the following portion of Sec. 12, to-wit: "And in the event of the organization of a county in this district, he shall turn over to the recorder of the county all the records of this office when such organization is completed," and the whole of section 14 be repealed.

(NOTE—It will be noticed that there is a great discrepancy in numbers concerning the sections acted upon. As I am simply copying the originals, I do not pretend to reconcile or explain these differences, being concerned only in facts and accurate *fac similes* of papers. Grayson P. Mac Arthur, Special Expert.)

In the latter end of August, about the 28th, the following notice was posted:

"Notice is hereby given that a meeting of the miners of Whitewood Quartz Mining District, will be held in the house of Thomas Campbell, of Gayville, on the 7th day of September, 1877, at 7 o'clock, P. M., for the purpose of electing a recorder to fill the vacancy caused by the death of the late recorder, Thomas H. Carr, who was killed by the Indians, August 27th A. D. 1877.

"J. B. CARR."

The meeting convened, and then adjourned to the office of the deputy recorder, on placer claim No. 4 of Deadwood Gulch above discovery.

On motion, J. B. Carr, was elected for the year ending March 6th 1879. Wm H. Brown was chairman, and J. B. Carr, secretary.

IDAHO TERRITORY.

IDAHO COUNTY.—MEADOW CREEK MINING DISTRICT.

MINING LAWS OF MEADOW CREEK DISTRICT AS PASSED AT A MASS MEETING OF THE MINERS OCT. 11TH 1862.

This District shall be known as the Meadow Creek district and the limits of said district shall be as follows:—

Commencing at the cañnon on Meadow creek, and running up said creek to Warren's creek including all the tributaries of Meadow and Warren Creek to the line of Summit Flat District.

ART. 1. Each person mining in this District shall be entitled to four claims, a hill claim a creek claim a gulch claims and a quartz claims or a side claim a hill claim a gulch claim and a quartz claim.

ART. 2. The limits of each creek side and gulch claim shall be one hundred and fifty feet in length running up and down the creek flat or gulch and two hundred feet wide—Hill claims shall be two hundred feet in front and extend back to the center of the hill.

ART. 3 No claim shall be considered a gulch claim that can be worked with sluices during the Summer months.

ART. 4. Claims shall be distinctly marked by notices at the end of the bounds thereof in the name of the claimant and no more ground shall be deemed claimed than is included in such notices.

ART. 5. Any person who shall by proof pull down remove or destroy any notice on any mining claim or the laws of this District shall be fined in any sum that the miners court of enquiry may direct.

ART. 6. The creek shall be entitled to all the water running in their natural channel from and after the first day of Aug. 1862.

ART. 7.—Art. 7 refers to quartz claims and is therefore not embodied in the laws

ART. 8. Every person shall have the priveledge of digging a drain race through any claim

ART. 9 All claims shall be considered forfeited if not worked within fifteen days from the date of their location.

ART. 10. Any party or parties holding claims who may be incapable by accident or sickness from working the same all their rights shall be respected.

ART. 11. When a partner or partners may have to absent themselves from their claims or business the remaining partner or his or their agent shall be sufficient to to hold or represent his or their intrests until his or their return.

SEC. 12 All persons having difficulties shall settle them by arbitration at a miners meeting.

ART. 13. There shall be a recorder of this mining district chosen who shall be paid a fee of one dollar for recording each mining claims, the recorder shall have custody of the books and laws of this mining district and shall hold his office at the option of the miners.

ART. 14. It shall be the duty of the recorder to convene a miner's meeting by notice at the call of all disputants and preside at the same, and for such services he shall be Paid the sum of six dollars, all all arbitrators and witnesses called to arbitrate or testify in a mining suit shall be allowed the sum of three dollars for such services said sum in connection with the recorders fee shall be paid by the parties litigant.

SEC. 15. Every person holding a mining claim shall have it recorded within fifteen days from the date of location.

ART. 16 No transfer or sale of claims shall be considered valid unless it appears on the record and the recorder shall receive one dollar for the transfer

Art. 17. When two or more claims join together and are worked by companies such companies can work any portion of such claims as they may deem expident and not forfeit the rest.

Art. 18. No claims shall be considered workable from the first of October to the 1st of June and one member of a company or their agent shall be deemed sufficient to represent the companies interest during that time.

Art. 19. Any person or persons locating water privileges for the purpose of conveying water from one point to another within the limits of this district shall declare their intention of doing so by a notice posted in a conspicious place and have the line of said ditch surveyed and recorded within two weeks from the location there of or it shall be considered forfeited if actual work is not commenced and prosecuted there on within four months from date of its location.

Art. 20. These laws are to take effect and be in full force from and after their adoption.

Art. 21. Any person who turns the water from its natural channel shall confine the same in a ditch dug sufficiently large for that purpose and those who have already turned the water without digging a ditch as mentioned will be required to do so within five days after the passage of this article or if they fail to do so they will be required to turn the water back into the natural channel of Meadow and Warren's Creeks.

Art. 22. Each and every claim holder will be required to confine his tailings upon his own ground and not encumber the ground of another person with such tailings provided that this article shall not be construed to prevent persons from dumping his tailings upon vacant ground or claims located subsequently to his using the same.

Art. 23. The said claims shall be entitled to all the surplus water running in Meadow and Warrens Creeks at all seasons of the year.

Art. 24. Creek, side, hill or gulch claims shall be considered forfeited unless faithfully worked at least one full day in each fifteen from 1st of June to Oct. 1st.

Art. 25. Hill and gulch claims shall not be considered forfeited if after due diligence on the part of the claimant sufficient water cannot be obtained to work such claims to advantage, twelve inches shall entitle the claimant to the benefit of this article

Art. 26. All mining claims on the Meadows from Strattons Creek down to the termination of this district shall be entitled to the full width of said Meadows from rim rock to rim rock.

At a regular meeting held Oct. 1st it was passed that the recorder be elected by ballot.

At a miners' meeting convened at Manuel's saloon on Friday 21st Aug. 1868 the following article having been read and voted on was added by a majority vote to the existing laws.

Art. 27. No person or persons shall be allowed to use water of Warren's or Meadow Creeks for purpose of ground sluicing either upon hill, gulch, side or creek Claims after the first day of August of each year, and any person or persons who shall use the water of said creeks for said ground sluicing purposes after said date and at any time of the year except during the months of April, May, June and July shall be deemed guilty of committing a nuisance which the miners may lawfully abate.

Dated Oct. 11th 1862 and Aug. 21 1868.

OWYHEE COUNTY.—CARSON MINING DISTRICT.

LAWS AND RESOLUTIONS.

At a called meeting of the miners of Jordan Creek, Idaho Territory May 28th 1863 the following Preamble, Laws and Resolutions were adopted to govern hereafter this mining district.

PREAMBLE.

Whereas:—We the undersigned a Prospecting Party of twenty-nine men in the Mountains of Snake River and Humboldt River on the Head waters of the Owyhee and Middle or Bannock Rivers having discovered gold in paying quantities, do hereby, inact and adopt for our own protection, and those who may follow us, the following Mining Laws and Resolutions.

Article 1. This creek shall hereafter be known and called "Jordan Creek".

2. This District shall be called "Carson District" bounded as follows, to wit:—Beginning at Discovery Camp" and running up the Creek to its head including all its tributaries and the ground drained thereby.

3. All *White* persons are entitled to hold by location, One Creek, One gulch, One hill, One placer or surface, One gold bearing quartz and One Silver claim of the following dimensions—

4. Creek claims shall be three hundred feet in length, running with the general course of the creek, extending from bluff to bluff on the base of the hill.

Gulch claims shall be three hundred feet in length, running with the gulch and two hundred feet wide.

Hill claims shall be two hundred feet front extending back three hundred feet. Quartz and silver shall be three hundred feet each running with the ledge including all its dips spurs and angles and the waters flowing from the same.

Placer or surface claims shall be three hundred feet long and two hundred feet wide.

5. Any person or persons discovering new diggings of either gold or silver, shall each be intitled to one extra claim by right of discovery

6. All streams having fifty inches of water during the month of September shall be considered as Creeks. There shall be left in Jordan Creek at all times two hundred inches of water for mining purposes.

7. All water rights shall be subject to the same rules and restrictions as mining claims—any person or persons taking up a water right shall within the time hereinafter specified relating to mining claims, dig four (4) rods of the intended size of the ditch, race or channel at the head or place of begining and turn the water through the same.

8. All claims shall be recorded within seven (7) days after location for which purpose there shall be a Recorder elected, whose duty shall be to enter upon a book kept for that purpose a record of all claims located and transfered describing minutely the boundaries of the same, giving to each claim holder a copy of the record counter signed by the recorder to be posted in a sightly place on the N. E. corner of the claim described there in. It shall be the further duty of the Recorder to survey and furnish a Plat of all town sites within this District receiving two dollars and fifty cents for each record and transfer, whether for lots or claims

9. Any person or persons maliciously defacing or removing any legal notice or removing any legal notice from any claim or lot shall upon conviction be expelled from this District forthwith.

10. All workable claims shall be represented by one day's actual labor in every six, except claims of like character lying adjacent to each other in such cases one day's labor on either shall represent the whole.

11. All creek claim holders shall have the right of a drain race through the claim or claims, below to be used as such and for no other purpose, also they shall have the right of depositing the tailings of ground sluicing, except rocks and gravel incapable of floating.—all other tailings shall be left up on the claim being worked. The tailings of all other claims shall not be deposited upon creek claims to the detriment of the owners there of.

12. All disputes among miners relating to their interests as such shall be settled by three arbitrators who shall be chosen from the owners of claims and practical miners of this District, one of whom to be chosen by each party the third chosen by the other two, the third shall have power to administer an oath or affirmation to all witnesses and the other two arbitrators, one of whom to swear the third an appeal may be taken from the decision of the arbitrators, to a Justice Court if notice to the opposite party within twenty four hours after said decision.

RESOLUTIONS.

1. That each member of this party of twenty nine shall have given him ninety (90) days from the adoption of these laws to return and remain absent from this District for the purpose of obtaining supplies or attend to any necessary business, during which time his claims may remain unrepresented and not be subject to forfeiture.

2. That each member of the party of twenty nine be entitled to one claim by right of discovery.

3. Thas Mess. Skinner Coogan, Duval and each member of the party of twenty nine be entitled to one claim for their partners, which shall be respected in like manner as our own.

4. That we each and all of us pledge ourselves to sustain the foregoing Laws and Resolutions against violation.

D. P. BARNS, *Chairman*

O. H. PURDY, *Secrty.*

W. Jordan, A. J. Miner, H. R. Wade, J. Reynolds, J. C. Boom, J. Carroll, P. H. Gordem, W. Duncan, P. J. Flint, A. F. Rudd, L. H. Gohn, F. Height, G. W. Chadwick, W. S. Wade Cy. Ibee, Jno Cannon, Wm. Phipps, M. Conner, Jos. Dorsey, W. T. Carson, Juan Francisca, Stephen Riffle, Jno. Moore C. Wade, J. R. Cain, R. W. Pindell, W. Churchill.

ARTICLE 3d. The present Law regulating the Fee for recording claims is hereby repealed and hereafter the Fee shall be two dollar and a half ($2.50) for a single claim and one dollar ($1) for each additional claim belonging to a Company and one dollar (1) for each "Bill of Sale"

4th. All Creek claims may be laid over from the First of October 1863 to the First of June 1864.

At a called meeting of the Miners of Jordan Creek July 19 1863 the following Resolutions were adopted.

On motion of Cy. Ibee the meeting was called to order and D. P. Barns was elected chairman and E. F. Pierce Sect'y.

ART. 1. *Resolved* that a committee of three be appointed to draw up resolutions to be acted upon by the meeting.

Mr. Carter, chairman Mr. Boom and Mr Ibee were appointed.

REPORT OF COMMITTEE.

ART. 1. All persons holding Gulch or Hill claims may lay over said claims until the First of June 1864 and all persons wishing to lay over said claims shall notify the Recorder of their intent whose duty it shall be so to state on the record and his certificate of record.

2. That part of the present law allowing persons to hold partner's claims for ninety (90) days without representing the same is hereby repealed and all claims shall hereafter be represented by one day's actual labor in each week. And no person shall be recognized as a partner who has never been within this District or is not present now to represent his claim and all claims so held are hereby declared vacant.

Persuant to due notice given that a miner's meeting, the miners of Carson District met at Boonville Sept. 3d 1864. After the meeting was called to order J. M. Shackelford was appointed Chairman and D. McKee Sect'y.

The first business before the meeting was the election of a Recorder.

The names of D. McKee and E. Hickman were put in nomination and the meeting proceeded to ballot for choise E. Hickman receiving the largest number of votes was declared duly elected after which the following resolution was adopted

Resolved that all those wishing to lay their mining claims over, either Creek, Gulch or Bank shall have the privilege of doing so by going to the District Recorder and placing the same on record.

Dated Boonville Sept. 3d 1864

D. McKEE, *Secrty.*

These are the only laws which remain preserved.

BOISE COUNTY.—ELK CREEK MINING DISTRICT.

MINING LAWS.

At a meeting of the Miners on Main Elk Creek, Boise Co; Idaho Ter., held at the mouth of Lincoln Gulch on Thursday Dec. 3d. 1863, The meeting was called to order by appointing J. R. Chapman, as chairman of the meeting, and elected G. E. Timmerman, Secty

On motion D. W. Cummings, I. T. Maxson, and A. T. Winn were appointed a committee to draft a set of Laws for a Mining District, they reported the following, which were upon motion, adopted to wit:—

SEC. I. This District shall be known as Elk Creek District.

SEC. II. The District shall commence at the Lower boundaries of El Dorado and Deer creeks thence running down Elk creek to Bear Run, embracing all the gulches and ravines running into Elk Creek between those boundaries that are not now embraced in the north fork of Elk Creek District.

SEC. III. "Creek claims" shall consist of 200 feet each running up and down the creek and extending on either side to three and one half feet rise of the "bed rock".

SEC. IV. "Bar claims" shall be 200 feet front running back to the hill.

SEC. V. "Hill claims" shall have 100 feet front, running with the creek, bar, gulch or ravine on which it may front, and shall extend to the summit of the hill.

SEC. VI. "Gulch and Ravine Claims" shall be measured one hundred feet each side from the present or visible surface channel of said gulch or ravine, and running 200 feet up and down said gulch or ravine.

SEC. VII. Any citizen may hold one creek claim, one gulch or ravine claim one hill and one bar claim by location.

SEC. VIII. All claims recorded in this District shall be laid over from the third day of December until the first day of April of each and every year, and no claim shall be considered forfeited or abandoned for any reason whatsoever between the said dates.

SEC. IX. There shall be a Recorder chosen for this Mining District, who shall be paid one dollar for recording each claim, he shall have custody of the books and laws of the District and shall hold his office at the will of the miners.

SEC. X. Any person taking up a claim and recording it under a wrong designation shall not there by forfeit his ground, if rectified within seven days by going to the recorder and amending his record and paying the Recorder one half of the usual recording fee for his extra trouble.

SEC. XI. All claims lying in this District and recorder in District No. 3, shall be recorded in the District within fifteen days of this date if said claims are unworkable they will be considered abandoned unless recorded.

SEC. XII. All claims shall be considered forfeited if not worked one day in seven after the first day of April until the third day of December following.

SEC. XIII. Any person locating a mining claim in this district shall record it within ten days from the date of his notice.

SEC. XIV. All transfers of claims shall be recorded with in ten days of such transfer, and unless recorded, shall be paid ($2) two dollars for each transfer.

SEC. XV. Representation or working shall consist of the following, first by working with sluice, tom, or rocker or with pick pan or shovel in the claim; second, digging a drain race through claims below; third digging or working in a water ditch, intended to bring water to said claim or claims; fourth, sawing timber for mining purposes for such claim or claims; fifth, building a house on or near such claim, for the dwelling of the owners of said claim or claims, or their employers to work in said claim or claims, work done in any part of said claims when joining shall be considered as representing the whole.

SEC. XVI. Claims belonging to a sick man shall not be deemed abandoned by said sick man in case of a failure to represent, if he has been in the habit of working said claims in person but if he has been in the habit of employing hands to work the same, the usual work shall be required.

SEC. XVII. A man to be sick shall be under the treatment of a physician and if necessary to prove his sickness shall obtain a certificate from his physician.

SEC. XVIII. Every miner or company of miners shall be entitled to a drain race through any adjoining claim or claims, whenever the same is necessary for the working of any claim.

SEC. XIX. No miner or company of miners shall be allowed to sluice tailings on the adjoining claim below.

SEC. XX. When parties disagree as to the right of mining ground, it may be settled by arbitration by the miners of this District

SEC. XXI. Any miner shall have the privilege of the necessary amount of water in this creek or any of its tributaries to work his claim and no more.

SEC. XXII. These laws shall go into full force and effect from and after their passage.

SEC. XXIII. After the passing of these Laws they shall remain in full force and effect until two thirds of the miners of this district vote for an amendment.

SEC. XXIV. The Recorder shall not call a meeting of the miners unless ordered by a majority of the miners of this district.

On motion the meeting proceeded to the election of a recorder of said District.

Where upon D. W. Cummings, was put in nomination, and there being no other nominations Mr. Cummings was elected.

On motion it was resolved that the proceedings of this meeting be published in the "Boise News".

On motion, adjourned, *sine die.*

At a meeting pursuant to a public notice, organized by electing Dr. Zimmerman chairman and G. A. Dunn as Secretary.

On motion Mr. A. P. Turner was elected Recorder of the Elk Creek District

On motion the mining Laws of Elk Creek were so amended as to strike out sections 12 and 23 and the following section adopted

SEC. XXIII. That all bar gulch and hill claims shall be deemed "laid over" and not require representation for all time to come when ever water cannot be procured for the sum of twenty five cents per inch every twelve hours and under six inches pressure. For hill and gulch claims not less than thirty inches of water shall constitute a sluice head. For bar and creek claims not less than forty inches shall constitute a sluice head.

On motion that a copy of the proceeding of this be published in the "Boise News"

On motion this meeting adjourned *sine die.*

G. A. DUNN, *Secretary.*

ELK CREEK *June* 28th 1864.

IDAHO COUNTY.—WASHINGTON GOLD AND SILVER QUARTZ MINING DISTRICT.

THE LAWS OF THE WASHINGTON QUARTZ MINING DISTRICT, WARRENS, IDAHO CO. I. T.

SEC. 1. This district shall be known by the name of the "Washington Gold and Silver Quartz District," and shall be bounded as follows; Commencing at the south-west corner of Meadow Creek District; thence running easterly along the line of Meadow Creek District to its south-east corner, thence down the eastern line of said district to the mouth of Elk Creek, thence up Salmon river to the junction

of the north and south forks of said river, thence up the south fork to the dividing waters of said south fork and the Payette country and from thence to the place of beginning.

SEC. 2. The locators of quartz claims in this District shall record the same with the Recorder of their respective county, within ten days after location, unless located more than thirty miles from the place of recording, in which case twenty days shall be allowed; and the County Recorder shall be allowed one dollar for recording each quartz claim and making the necessary filings and indexing; but in no case shall said fees exceed the sum of five dollars upon any set of claims.

SEC. 3. Transfers of quartz claims shall be duly acknowledged by a proper officer, and recorded by the County Recorder.

SEC. 4. That any person or persons who may hereafter discover any quartz lead or lode, shall be entitled to one claim thereon by right of discovery, and one claim each by right of location. *Provided*, That no person shall be entitled to hold more than one claim by right of location on any one lead or lode, and that no person shall be entitled, or have the right to locate or to hold by location, or to have recorded any claim or claims on any lead or lode unless he be a resident or inhabitant of this Territory.

SEC. 5. Each claimant shall be entitled to hold by location, two hundred feet on any lead or lode in the District, with all its dips, angles, and spurs, off-shoots, out-crops, depths, widths, variations, and all the minerals and other valuables there in contained.

SEC. 6. The locators of any lead, lode or ledge in the District, shall be entitled to hold, on each side of the lead, ledge, or lode, located by him or them, fifty feet. Any lateral veins, lodes or leads bearing minerals, within the space of the said fifty feet on each side of the main ledge, shall be considered as claimed by, and entirely belonging to the locator or locators of a lead, and his or their assigns, and part and parcel of the same.

SEC. 7. The locators of any quartz claim or claims, on any lead or lode, shall at the time of locating said claim or claims, place a substantial stake, not less than three inches in diameter at each end of the claim so located provided, that where two or more claims are located together, and recorded in one notice, then the aforesaid stakes shall be placed at each end of the claims so located in one notice. On said stake, on each end of said claim or claims, shall be placed a notice in writing. and said notice shall contain the date of the location of said claim or claims, the name or names of the locator or locators, the name of the lead or lode on which said claim or claims are located the number of feet so claimed by each of said locators, the distance to the nearest end of said claim or claims, shall be placed a notice in writing, and said notice shall contain the date of the location of said claim or claims, the name or names of the locator or locators, the name of the lead or lode on which said claim or claims are located, the number of feet so claimed by each of said locators, the distance to the nearest end of said claim or claims from the discovery stake, the direction as nearly as possible from the discovery stake, and the direction said claim or claims extend, as nearly as may be from the point designated as it or their commencement. And when more than one person joins in one notice in locating said claims, shall state the actual number of feet claimed, and the portion of the ground so claimed by each person so locating

SEC. 8. Two or more persons may locate or take claims together in a body by joining in a notice specifying the number of claims so located, and the name of each person so joining in such location being written under the notice; but the claims so located shall not exceed two hundred feet for each person so locating and said claims shall, on said notice, be numbered and designated as segregated claims, and shall designate the position of the said segregated ground in said claims so located in one notice, including, when necessary, a discovery claim; except when it may be necessary to include a claim by right of discovery; and the notice shall then state in whose name or names said discovery claim is located. The persons so joining in one notice shall be considered as tenants in common so soon as the work hereinafter required to be done shall be fully finished and performed. The work hereinafter required to be performed on a quartz claim to entitle the locator, or his assigns, to hold the same as real estate, may be performed on any one of the claims so held under one notice; Provided, it be equal in value to twenty dollars for each and every two hundred feet held under one notice including the discovery claim; but when any claims have been located by two or more persons in one notice, so soon as the work required by this section has been performed on said claim or claims, to wit: Twenty dollars worth of work for each and every two hundred feet included in the notice locating said claims, the said claimants shall be deemed tenants in common, and shall be subject to all the rights, privileges, and benefits, responsibilities and liabilities of tenants in common.

SEC. 9. Quartz claims located and recorded in accordance with this law, shall entitle the person or person so locating and recording to hold the same as real estate to the use of himself, his heirs and assigns Provided;—That within one year from and after the date of recording, he or they shall cause to be performed twenty dollars worth of work for each and every claim of two hundred feet of said lead or lode; said work to consist of the following; The stripping of the lead or lode, sinking shafts, excavating of tunnels, obtaining machinery and preparing material for working said lead or lode in good faith.

SEC. 10. Any person or persons who shall willfully and maliciously tear down or destroy any notice, posted on quartz claims or tear up or destroy any stakes marking quartz claims shall, upon conviction thereof be deemed guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars, or not exceeding one hundred dollars, or by not less than thirty days, nor more than six months imprisonment in the County jail, or by both such fine and imprisonment; and any justice of the peace in this District shall have jurisdiction of such offenses.

SEC. 11. Any person or persons desiring to preserve or perpetuate testimony as to the sufficiency of the amount of work done on any claim or claims to entitle him or them to hold them as real estate according to the provisions of of section nine of these laws; may take two disinterested persons to view such work, who shall carefully examine the same, immediately after which they shall go before the County Recorder or other officer by law authorized to administer oaths in the County, and take and subscribe an affidavit containing first, a description of the location of the claim or claims on which the work is performed, the character and value of such work, and the date when they viewed the same; which affidavit shall be filed by the County Recorder and carefully preserved. Such affidavit or certified copies of the same under the certificate and seal of the County Recorder, who has custody of the original affidavit or affidavits shall in any Court in the Territory be prima facia evidence of the character and amount of labor performed on the claim or claims which are described in such affidavit or affidavits The Recorder shall receive a fee of fifty cents for filing and preserving the affidavits required by this section.

SEC. 12. Any person or persons who may desire to run a tunnel into any hill or mountain for the purpose of discovering or working mineral bearing quartz leads or lodes, shall be entitled to hold one hundred feet each way from the line of the tunnel on every lead or lode so discovered. Provided, the said lode has not been previously claimed and held according to law, and said person or persons shall also be entitled to hold two hundred feet square at the entrance of the said tunnel or tunnels, for building, dumping or other necessary purpose; provided, further, that nothing in this section shall be so construed as to invalidate the vested rights of other persons.

SEC. 13. There shall be a Recorder of this District chosen, whose duty it shall be to take charge of the laws of this District; keep a correct record of all the claims located on all leads, or lodes discovered or located in this district; and immediately after making a record of any quartz claim or claims upon the record of this District, it shall be the duty of the Recorder to send a copy of the notice of the claim or claims recorded to the County Recorder, and have it recorded by him, in accordance with the Territorial law; and for the recording of each claim in the records of this District, and the transmission of the notice to the County Recorder, the Recorder of this District shall have a fee of one and a half dollars ($1.50), for each claim so recorded, which includes the fee of the County Recorder.

SEC. 14. All claims located prior to the passage of these laws, shall be recorded in the records of this District within ten days after their adoption; and all claims located subsequent shall be recorded within five days from the date of location, in the records of the District.

SEC. 15. These laws are to take effect, and be in full force from the date of their passage.

C. A. SEARS, *District Recorder.*

Dated, July. 1866.

AMENDMENT TO THE LAWS OF THE WASHINGTON QUARTZ MINING DISTRICT, WARRENS, IDAHO CO., IDAHO TER.

At a meeting of the quartz miners of this district held at Warrens September 5th, 1870 the following amendment was adopted.

SEC. 9, Amended so as to read as follows:—Quartz claims located and recorded in accordance with this law shall entitle the person or persons so locating and recording to hold the same for the period of one year from the date of such location and record: Provided, he or they shall cause to be performed twenty dollars' worth of work for each and every claim of two hundred feet on said lead or lode within one year from the date of said location and fifty dollars annually there after. Said work to consist of the following: The stripping of the lead or lode, sinking shafts, excavating of tunnels obtaining machinery and preparing material for working said lead or lode in good faith. And as evidence of such work each and every present claim holder shall, in person or by their agent, within one year from the date of this amendment, appear before the recorder and make affidavit to the effect that the said twenty dollars' worth of work has been performed, specifying first a description of the location of the claim or claims on which the work is performed, the character and value of such work, and the date when the same was performed; which affidavit shall be filed by the county recorder and carefully preserved. Such affidavit or certified copy of the same, under the certificate and seal of the county recorder who has custody of the original affidavit or affidavits, shall, in any court in the Territory be *prima facie* evidence of the amount and character of labor performed on the claim or claims which are described in such affidavits. And there after they shall appear annually and make affidavit that the requisite fifty dollars worth of work has been performed as aforesaid. And all persons locating claims subsequent to the passage of this amendment shall appear and make affidavits as aforesaid. And the recorder shall receive a fee of one dollar for filling and preserving the affidavits required by this section. And any person or persons failing to comply with the provisions of this section shall forfeit his or their possession or right to any quartz claim upon which such failure is made and the same shall be thereafter subject to relocation.

P. F. MORRIS, *Chairman.*

N. B. WILLEY, *Secty.*

QUARTZ LAWS.

ARTICLE 1. It shall be the duty of all claim owners, after they shall have performed the requisite amount of work to entitle them to a certificate of representation, to go to the district recorder and have him place on the margin of his book a note, specifying that such a claim or claims has been represented according to law, and the recorder shall have a fee of twenty five cents for each entry there made.

ART. 2. All persons discovering quartz veins in this district from and after the adoption of this article, shall not be allowed to locate for them selves and others more than two thousand two hundred feet on any lead or lode and any person or persons who shall again find the same lead out side of the said two thousand two hundred feet located by the discovering party, shall have the right to give the ledge a new name, and be entitled to all the benefits of a new discovery.

A. H. SANDERSON *Chairman*

J. W. POE, *Secty.*

Dated. July. 1868.

ALTURAS COUNTY.—WOOD RIVER MINING DISTRICT.

[*From Yankee Fork Herald October 2,* 1879.]

At a meeting of miners held at Galena City, Alturas county, Idaho, on Sept. 15th 1879, for the purpose of organizing a new mining district, Hiram Hunter was chosen President, and W. G. Seamands Secretary.

On motion, Messrs. Arnold, O'Leary and Swarncoat were appointed a committee to define boundaries of a new mining district and give the same a name.

On motion, Jas. E. Fulton, H. Bowman, and W. G Seamands were selected as a committee to draft by-laws to govern all mining locations in the proposed district.

After an hour's adjournment, the meeting was called to order and the report of the committee on boundaries was read and adopted. The district shall be known as Wood River District.

The following report of the committee on by-laws was read and adopted unanimously:

1st. We, the undersigned miners of Alturas county, I. T., do hereby adopt the mining laws of the United States to govern all mining locations made within this district.

2. The boundaries of Wood River Mining District shall be as follows, to wit: Commencing at the east end of Red-fish Lake and running south to the divide between the Salmon and Boise waters, keeping the same course to Wood River divide; thence east 20 miles; thence north 30 miles; thence west to place of beginning.

3rd. There shall be a mining recorder elected who shall hold his office for the period of one year, or until his successor shall have been duly elected and qualified; and he shall keep his books and office in Galena city, I. T.

4th. When his successor shall have been duly elected and qualified, then it shall be his duty to turn over to him all books and papers pertaining to his office.

5th. He shall keep the book of record at his office in a safe place and always open for inspection in his presence.

6th. When at any time the district shall be abandoned on account of snow or other reasonable causes, then it shall be his duty to turn all the books and papers pertaining to his office over to the County Recorder of Alturas county and take his receipt for the same.

7th. It shall be the duty of the Recorder at any time on the written application or petition of any twelve resident miners of the district, to call a miner's meeting for the transaction of any business that may come before it.

8th. The Recorder of this (Wood River) district shall receive the same fees for recording a claim as is allowed, by Territorial law, the County Recorder of Alturas county.

9th. From the 20th day of October to the 20th day of April of each succeeding year, the Recorder of Wood River District shall not absent himself at any one time for more than seven days, or in any manner neglect his official duties; but in case he should neglect his duties as recorder, then it shall be the duty of the miners to call a meeting and elect a new Recorder, who shall take possession of all the books and papers and he shall hold his office until the 15th day of September, the time appointed for the annual election.

10th. Resolved, That a copy of the minutes of this meeting be sent to the "Yankee Fork Herald" for publication.

HIRAM HUNTER, *Pres't.*

W. G. SEAMANDS, *Sec'y.*

BOISE COUNTY.—PLACERVILLE MINING DISTRICT.

(Special Agent's note.)

All of the old laws and records of miners' meetings were lost in the fire of 1874.

I have learned how ever from persons residing here that the laws of location were the same as those of Idaho City, (See report on Elk Creek District). also that in 1862 there were two laws passed one keeping the Chinese out of the camp and not allowing them the right of location, another was one denying women the right of locating mining property.

In the winter of 1862 there was a law passed to the effect that, the claims of prospectors who went to fight the Indians were not jumpable though they were not represented.

MONTANA.

DEER LODGE COUNTY.—SUMMIT VALLEY MINING DISTRICT.

LAWS.

As near as can be ascertained the first business meeting of the miners of Summit Valley was held in the Summer of 1864 at Eden & Carter's store which was situated not far from the site of Butte City. At this time no quartz mining was done in the district and the meeting was composed of the placer miners then working in the Valley. George Marshall was chairman and J. F. Beck was secretary.

The following copy is made from the original records which are still in existence:

The following laws were adopted:

1st. *Resolved*, That we organize a mining district to be known as Summit Valley District.

2d. The boundaries of Summit Valley District shall be as follows: Beginning on a point on Silver Bow due south of the Big Butte; then running north to said butte; thence following the divide to the summit; thence following Silver Bow Creek to starting point.

3d. The officers of this District shall consist of a President and a Recorder.

4th. All gulch claims shall be two hundred feet up and down the gulch and one hundred feet on each side.

5th. All bar claims shall be two hundred feet square and marked by * on each corner.

6th. Each miner who resides within the district shall be entitled to hold one gulch and one bar claim by location.

7th. There shall be one actual day's work done on each claim every week.

8th. Where ground is held by companies work done on any portion of the ground shall represent the company's ground.

9th. All ground shall be recorded within thirty days after it is located.

10th. There shall be a recorder elected who shall be entitled to One Dollar for each claim recorded.

11th. All locations shall be recorded in person.

12th. All bills of sale and transfers shall be recorded, for which the recorder shall receive five dollars.

13th. A miners' meeting to be legal shall be called by the President on the application of ten claim-holders of said district the party or parties calling the same shall pay the President in advance the sum of $6. The President shall post notices in three public places three days previous to the meeting.

This concludes the first or original laws, the following records being of meetings at which amendments were made.

A meeting was held August 20th 1866 at which the following temporary law was adopted:

That all claims shall be exempt from work and hold good until the 1st of May, 1867.

At a meeting of the miners of Summit Valley District held at the Post office in Butte City in said district on the evening of the 11th of April, 1870, Wm. Allison, the President of the district, called the meeting to order, and C. E. Irvine was chosen Secretary.

The President stated the object of the meeting to be the election of Recorder.

Whereupon the following resolution as a substitute for article 12 was adopted, to-wit:

Resolved, That from and after this date the fee for recording Bills of Sale for Placer mining in this District shall be two dollars for each Bill of Sale and the Recorder shall not be required to record any bill of sale before the fee is paid.

Anson Ford was then elected Recorder by acclamation.

Resolved, That article 7 be so construed as to require each of the owners of mining ground to do one day's work on any portion of his ground each week, which shall represent all the ground he owns in the district.

The following resolution to construe article 7 to cover an original defect, was also adopted, namely:

Resolved, That the by-laws of the District be re-adopted. Dated and signed by the President of the District and Secrecarty of this meeting.

Moved and seconded that article 2 be so amended as to read—"from the Big Butte to the head of Silver Bow Creek"—lost. Whereupon the meeting adjourned *sine die*.

WM. ALLISON, *President.*

JULY 30, 1870.

At a meeting of the miners of Summit Valley District held at the Post office pursuant to previous notice the following action was had:

A motion was made to lay mining claims over until May 1st, 1871.

Motion adopted and meeting adjourned.

Pursuant to previous notice a miners' meeting was held July 11th, 1871 of which Peter Hume was elected President, and on motion,

Resolved that all mining claims located and represented this season be laid over until May 15, 1872.

ANSON FORD, *Secretary.*

At a legal meeting of the miners of Summit Valley held July 29th, 1872 it was

Resolved: That all mining ground in the District be laid over until July 29th, 1873.

PETER HUME, *President.*

ANSON FORD, *Secretary.*

[The occasional mention of quartz mining in the following regulations will serve to show the inception of this industry at Butte.]

At an adjourned special meeting of the miners and citizens of Summit Valley District for the purpose of establishing some regulations in regard to Quartz operations under "Act of Congress, approved May 10th, 1872, entitled An Act to Promote the Development of the Mining Resources of the United States," J. D. Allport was made president and Anson Ford Secretary:

On motion it was ordered that the maximum of wages on lodes be six dollars per day.

On motion Anson Ford was elected special Recorder, and as Notary Public to administer an oath to quartz operators, verifying the report they may make to him of labor and expense incurred by them on lodes.

On motion the fee for making such record and administering the oath was fixed at one dollar.

On motion it was ordered that these proceedings be published in the County papers.

J. D. ALLPORT, *President.*

ANSON FORD, *Secretary.*

At a regular meeting of the miners of Summit Valley District at Butte City, Aug. 1, 1873, Richard S. Jones was elected President, and Anson Ford was re-elected Recorder.

Mining ground was laid over one year from date.

At a regular meeting held Aug 11th, 1875, mining ground was laid over one year.

At a regular meeting held Sept. 22, 1876 mining ground was laid over one year.

At a regular meeting held Aug. 22, 1877, Placer Mining ground was laid over one year.

At a regular meeting held Aug. 31, 1878, mining ground was laid over until the first of September, 1879.

At a meeting held in Butte City, Jan. 20th, 1879, S. E. Hirbour was elected Secretary *pro tem.* W. P. Emery was elected Recorder for two years.

[No meetings have since been held to this date, November 1880.]

MADISON COUNTY.—BROWNS MINING DISTRICT.

MINERS MEETING AT BIVINS GULCH

At a miners meeting held Nov 13, 1864 at Neng's saloon in Bagdad Browns district Bivin's gulch Madison County M. T. specially called to take into consideration the most effective means to compel Caleb Perry and J B Smith to pay W P Allen & Co 100^{00} the following preamble and resolution were offered and unanimously adopted.

Whereas at a meeting held on the 6th inst Perry and Smith were found to be justly indebted to W P Allen & C in the sum of 100^{00} and whereas after the miners having put Allen & Co in possession of the claims of Perry and Smith they gave their word of

honor if Allen & Co would let them—Perry & Smith—work the claims that Allen & Co should have the first money taken out to the amount of 100^{00} and guaranteed that the said amount should be paid within 10 days and whereas Perry & Smith have failed to comply with said agreement, and have paid other debts to the amounts of 500^{00} and upwards and paid after Allen & Co's claim was due thereby forfeiting their word and attempting to defraud their creditors which is characteristic of the firm—Perry & Smith—therefore

Resolved that the miners of the district put Allen & Co in possession of the claims of Perry and Smith and protect them in holding and working the same with their lives and property if necessary.

Perry and Smith not being present motion was made and carried that a committee be appointed to notify Perry and Smith to appear before this committee within 10 minutes.

The committee returned with Perry and reported that Smith had left the gulch.

On motion of J Hunter the above resolution was read to the great disgust of Caleb.

On motion the chair appointed the following committee to place Allen & Co in possession of mining claims Nos. 24 & 25 Browns district Bivins gulch: C. Farnham J Woodward S M Ferris J Hunter S McGee and J Febis.

On motion the meeting adjourned *Sine die.*

W. HUFFAKER, *Chairman.*

S. J. PERKINS, *Secretary.*

MINERS MEETING

At a Miners Meeting held at the store of E E Thomas in Browns Disct Bivens Gulch Madison Co. M T. on Sunday March 5th J Harper was chosen Chairman and H N Elliott Secretary.

On Motion of Mr Huffaker it was moved and carried that the section of the law restricting the number of claims be repealed

On motion of Mr Stanley it was

Resolved that any company or companies shall have the right to purchase and hold all purchase mining claims on Bivens Gulch in Browns Disct by representing the same according to the laws thereof

On motion of Mr. Rumsey it was

Resolved that the laws of this Dist requiring two days work for each claim per week be changed so as to read one day.

It was moved and carried that we proceed to elect a new Recorder and on motion Mr E E Thomas was elected

A committee consisting of Mr Stanley and Mr Huffaker were appointed to wait on the former Recorder (Mr Perkins) and request him to deliver over to Mr Thomas all books and papers belonging to the Disct.

On motion is was carried that the proceedings of this meeting be signed by the Chairman and secretary and recorded in the records of this Disct.

The meeting then adjourned.

MADISON COUNTY.—FAIRWEATHER MINING DISTRICT.

LAWS OF FAIRWEATHER DISTRICT ENACTED BY THE MINERS OF SAID DISTRICT IN PUBLIC MEETING SEPTEMBER 16, 1864:

At a miners meeting of Fairweather District Madison County Territory of Montana held at the "Miners Retreat" Sept the 16th 1864 in pursuance of notice posted up in three of the most public places in said district James Fergus presiding.

On motion E A. Brown was elected Secretary.

The report of the committee appointed at a previous meeting to revise the laws of said district was read and on motion accepted and the committee discharged. The laws and regulations so reported were then read and adopted by sections.

A motion was then made and carried that a committee of five be appointed to have the new law together with the old laws still in force drawn up together and printed in phamplet form Lewis W Borton B R Martin G. W Weeks J C Otto and James McGuire were appointed as such committee.

On motion Jas McGuire was elected president and Lewis W Borton Secretary of said Fairweather district

The report of said committee as well as the preamble and laws so enacted are as follows:

PREAMBLE.

Whereas the laws now in force in Fairweather district Madison County Montana Territory have proved insufficient to protect the rights of the miners of said district and whereas the rights and interests of the miners of the district are of such a nature as not to admit of a resort to the tedious remedy by the ordinary process of law for every violation of the rights.

Now therefore we the miners of said district in public meeting assembled in pursuance of legal notice for the purpose of defining our rights and duties and the protection of our several interests do hereby resolve and declare that the rules and provisions following shall be the laws of Fairweather district.

ARTICLE 1. SECT. 1. Hereafter the offices of the district shall consist of a President and Secretary who shall hold their offices for a term of six months and until their successors are duly elected and enter upon the discharge of the duties of their office

SECT. 2. It shall be the duty of the president to call a meeting of the miners of the district at any time on the written application of five claim holders of the district of which he shall give 3 days notice previous to the day of meeting by 3 written or printed advertisements, put up at 3 of the most public places in the district and he shall preside at such meeting.

SECT. 3. It shall be the duty of the secretary to attend all meetings called by the president, to keep a true record of the proceedings thereof and file the same with the County Recorder and he shall preside at all meetings when the President is absent.

SECT. 4. After suit commenced in any case wherein a title to a claim is called in question neither party shall be held liable to represent said claim during the pending litigation but the same shall be deemed to be represented in favor of the real owner by operation of law.

SECT. 5. Every person shall be entitled to hold by preemption. one creek bar or hill claim and as many of either kind by purchase as he shall represent according to the laws of the district

SECT. 6. Any copartnership or company of persons shall be entitled to hold the same number of claims by preemption. And purchase as the same number of persons composing such copartnership or company would be entitled to hold in their individual capacity.

SECT. 7. The lessee of a claim—if he shall have agreed to completely work out the same and his lease be recorded—shall be entitled to hold his claim by preemption and his work done on one leased claim shall represent the claim preempted by him.

SECT. 8. No person who having preempted a claim by recording thereon has forfeited the same or who has failed to secure good title thereto or who shall in good faith sell and convey the same shall he thereby be debarred from holding another claim by preemption.

SECT. 9. Every claim shall be considered as represented upon which the preemptor or purchaser shall by himself his agent or hired hand perform three full days work in each week and such representation of one claim shall be deemed a good and sufficient representation of each and every claim that such preemptor or purchaser holds in the district. provided that each and all of said claims have been duly recorded, and if any person shall represent a claim by working thereon without having his bill of sale or conveyance thereof duly recorded then in that case he shall not be entitled to hold any other claim in this district either by preemption or purchase but shall be confined and limited to the claim upon which he so works until it be recorded.

SECT. 10. Copartners or any company or companies working one claim in the district shall be considered as representing thereby all the claims held by them in the district

SECT. 11. Any claim to which a drained ditch is commenced or being dug if the holder of the same shall compose one of the ditch company or shall put and continue hands at work in the same shall be considered as duly represented until the drained ditch be completed to such claim.

SECT. 12. The absence of any person from the district shall not impair or invalidate his rights therein. provided his interests are represented by his partner or agent or men in their employ.

SECT. 13. The rights of a sick miner shall be respected during his illness. and the certificate of a physician shall be sufficient evidence of such illness

SECT. 14. Any miner who shall have expended six hundred dollars on his claim and who for want of money to finish opening the same is unable to represent according to law shall have the privilege of working on any other claim in the district in order to raise money to enable him fully to open his own claim provided he shall put up notices on his own claim stating where he is at work and his rights shall be respected during the time he is so at work for others.

SECT. 15. It shall and may be lawful for any person or company to dig a drain ditch through the claim or claims of any person or company for the purpose of drainage and any person or company making such ditch shall have a lien upon any and all of the claims throughly drained thereby, for a just and equal proportion of the costs thereof. but no lien shall be enforced until the holder of the claim affected thereby shall avail himself of the benefit of the ditch.

SECT. 16. The water in any creek or gulch shall belong exclusively to the miners of the creek or gulch.

SECT. 17. Each gulch claim shall be entitled to one sluice head of water of not less than 20 inches to be measured subject to a pressure of 6 inches and such an additional quantity as may be necessary for mining purposes if such additional quantity be not used to the injury of the rights of others

SECT. 18. The interests of the holder or holders of any creek or gulch claim is hereby declared to be a chattel interest consisting of the right to the posession of the land and the water thereupon inseparable and indivisible except by the consent of the party or parties in interest made in due form of law and then only to such an extent as shall not impair or infringe the right of others.

SECT. 19. No person or persons or company shall have the right by preemption or otherwise to claim and hold an exclusive right or privelege in or to any portion of the water in any creek or gulch in the District except as herein provided and any ditch pipe channel flume or other means of conveyance heretofore made or which may hereafter be made by which the water in any creek or gulch in the District shall be diverted from its original channel and carried beyond any creek or gulch claim without leaving in the creek or gulch the quantity of water beloning to each claim is hereby declared to be a public nuisance and may be abated immediately in such a way and manner as shall be in accordance with the laws of this Territory and the common law of the land

SECT. 20. All dams flumes embankments or other obstructions which shall cause tailings to accumulate or a diversion of the water to the damage of miners above and below, the same shall be deemed public nuisances and may be abated in the manner herinbefore provided for other cases and all persons injured thereby shall be entitled to recover damages of the person or persons who has created or may create authorize or permit upon his or their own claim all or any of said nuisances.

SECT. 21. No miner shall so run his tailings or shovel or pile up the same as to damage any claim either above or below him.

SECT. 22. Any miner of a creek or gulch claim who shall suffer injury by the escape of water from any side ditch shall be entitled to recover damages therefor by the ordinary process of law.

SECT. 23. It shall not be lawful for any person to place or run tailings into a side ditch made for the protection of a pit or a drain ditch

SECT. 24. Every claim not duly represented according to the laws of the district until the day upon which the claims in this district may at any time hereafter be laid by shall be forfeited and it shall be lawful for another person to record and preempt such forfeited claim at any time after the day on which the claims in the district shall be laid by and before the first day of May next following

SECT. 25. Hereafter all claims shall be deemed to be laid by during the interval between the last day of October and the first day May of each year

SECT. 26. At no time hereafter shall any miner of a bar claim ground sluice tailings into any gulch creek or drain ditch but such miner shall securely crib the tailings on his own claim.

SECT. 27. All laws rules and regulations hereintofore in force in this district not conflicting with the laws rules and regulations herein enacted are hereby continued in force and all laws rules and regulations heretofore in force conflicting in the least in whole or in part with any of the laws rules and regulations herein adopted or any portion thereof are hereby repealed.

SECT. 28. The laws shall take effect and be in force from and after the 16th day of September. A D 1864

LEWIS W. BORTEN, *Secretary.* JAMES MCGUIRE, *President.*

We the undersigned committee appointed at a miners meeting held at the miners retreat in Fairweather district Madison county Montana Territory Sept 16 1864 in performance of appointment and request of said meeting do hereby in the sections following give and report the following laws of said district, as laws not conflicting with the general laws of said district as hereinbefore provided which are enacted and in force in said district.

SECT. 1. Bar mining claims shall consist of 100 feet up and down the creek or gulch running back the with of the bar.

SECT. 2. Creek claims claims shall be 100 feet in length and including the flat or creek bottom and bed of the stream.

SECT. 3. All discovery claims shall be held safely whether worked or not

SECT. 4. The centre of the creek shall be the line.

LEWIS W BORTON
G B WEEKS
J C OTTO
B R MARTIN
J. McGUIRE

LEWIS & CLARK COUNTY.—VAUGHAN MINING DISTRICT.

In the summer and fall of 1875 the miners and prospectors in the Red Mountain or Vaughan district held one or two preliminary meetings, which were not recorded, and in August of that year (exact date unknown) held an important meeting of which the following is a copy:

LEWIS & CLARK COUNTY, MONTANA TERRITORY.

A meeting held by the miners of Lewis & Clark and Jefferson counties, Montana Territory, At the residence of C. B. Vaughan for the purpose of organizing a mining district.

Mr. C. B. Vaughan addressed the meeting, Stated the object, which was to establish a Mining District.

Mr. Horst was chose chairman Mr C B Vaughan was chose Secretary

The meeting proceeded to adopt the following Articles

ART. I. All that portion of country contained within the following boundaries to wit commencing at the head of the East Fork of Cataract Gulch, near the Basin trail to Helena, and following said Fork to the main Gulch: thence up the west fork to the head thereof; thence westerly along the Southerly base of Bald Mountain to the center of the divide at the head of Basin Gulch; thence northeastly along the center of the divide between Banner and Ruby Gulches, past the south line of the Try again placer mines, to the west end of the Wanderer lode, which the said lode is situated on the summit of the range Sout of Red Mountain; thence Northwestly along the sumet of Red Mountain to the head of the Cheesmans Ditch on Bever Creek; thence Southly along said Wagon road to the Walfolk reservoir thence along the Basin trail to the place of beginning, shall constitute the Vaughan Mining District.

ART. II. The officers of Vaughan Mining District shall consist of a President, a Vice President, an Arbitrator, and a Recorder, who shall hold office for one year; or until successor are duly elected and qualified

ART. III. It shall be the duty of the President to preside at all Meetings held under these articles, and sign all Laws passed, and read all proceedings of such meetings, as also to give due notice of the reglar annual Meeting for the selection of officers.

ART. IV. It shall be the duty of the Vice President to discharge the duties of the President in the absence of that officer.

ART. V. It shall be the duty of the Arbitrator to preside at all arbitrations held by virtue of these articles, and to keep a correct record of all cases arbitrated, said Record to clearly show the questions involved and the decision thereupon.

ART. VI. It shall be the duty of the Recorder to keep a correct record of all proceedings had by authority of this organization, and to record in a well bound and substantial Book, all doucments pertaining to Mines in such manner and under such regulations as may be hereafter provided by laws of the District.

ART. VII. All persons residing or owning mining property within the District shall be entitled to vote at all District meetings.

ART. VIII. Whenever ten miners, legal Voters of this District, shall petition the President to call a special meeting, setting forth in their petition the necessity for such meeting, it shall be the duty of the President to do so, taking care to give due notice in all parts of the District: and the object of said meeting shall be stated in the call

ART. IX. These articles may be alterd or remanded by a majority of the Voters at the regular anual meeting called for that purpose, the notice whereof shall state that it is the object of said meeting to alter or amend these articles.

These articles were read, Voted upon and adopted.

Moved & seconded that the chair appoint a committee of three to draw up additional by laws to be presented to an adjourned meeting. Carried.

Committee W. F. Chilhom, A. J. Arnold and J. Bell.

Moved and seconded that the chair appoint a committee of three to consult with the miners of the McDaniels camp for the purpose of ascertaining if they wanted there lodes included in the Vaughan District. (Carried.)

Committee: Bell, Arnold & Wolff.

A. J. Arnold was nominated for President it was moved & seconded the word Arnold be stricken out & Vaughan be inserted

B. C. Vaughan was duly elected as President

Moved and seconded that A. J. Arnold be Secretary & Recorder of Vaughan district was duly elected

Moved and seconded that the Meeting adjourned untill the 21th February 1875 at 3 oclock P. M.

[This ends the minutes of that meeting. Following will be found the minutes of the "February" meeting.]

MEETING OF FEBRUARY 21TH 1875 AT 3 O'CLOCK P. M.

Meeting was called to order by President B. C. Vaughan J. Horst was nominated for Vice President Carried

C. M. McDaniels nominated for Arbitrator Carried

Voted that the annual meeting be held on the first Saturday in September of each year.
The officers for the ensuing year elected
President C. B. Vaughan
Vice President Julius Horst
Recorder Andrew J. Arnold
Arbitrator C. M. McDaniel.

BY LAWS OF THE VAUGHAN DISTRICT.

Voted That any person here after discovering a Quartz Lode in this District shall be intitled to fifteen hundred, (1500), feet along the line of the Lode together with Three hundred, 300, feet of surface ground, on each side of the middle there of as provided by the mining Law of the United States.

Voted that no Lode shall be recorded until a mineral vein lode, or Ledge is fairly exposed.

Voted That the recorder of the district shall be entitled to charge the following fees to wit: for recording any doucment not exceeding one page of legal cap paper, one Dollar for each additional page, Fifty centz,

Voted That whenever any dispute shall arise in the District involving any question pertaining to mines or mining, it shall be the privilege of the parties to such dispute to submit the case to arbitration, to which end either party may proceed as follows, to wit, Any person thinking himself aggrived may furnish to the arbitrator a written complaint, setting forth wherein and by whom he considers his rights invaded or disregarded and stating that he desires to submit the case to arbitration; whereupon it shall be the duty of the Arbitrator to furnish the party complained against with a copy of said complaint, and to appoint without delay, a time and place for holding such Arbitration, wherefore the party shall be duly notified at least one week before such arbitration is to take place, the Arbitrator shall also notify the plaintiff and defendent that it is the privilege of the parties to choose two persons as Arbitrators, each party choose one, and that such persons shall in connection with the District Arbitrator constute a Bord of Arbitrators for the hearing and adjustment of the case between said plaintiffs.

Moved that the Helena Herald be requested to Publish the Constitution and Laws of the Vaughan District carried

Meeting Adjourned *Sine Die.*

[NOTE.—These were all the regular meetings ever held in the district and the affairs of the organization went smoothly on, the *spirit* of the roughly-drawn laws and regulations being sacredly observed by the illiterate prospectors, who, although they might not know how to frame laws, knew how to observe them. In later years it has become the general custom to make all records with the respective county recorders and to refer all litigation to the courts. The necessity for the old regulations of the mining district organizations is therefore rapidly dying out.]

NEVADA.

STOREY COUNTY.—GOLD HILL MINING DISTRICT.

MINERS' MEETING AT GOLD HILL

At a meeting of the miners of Gold Hill, held on Saturday, June 11th, 1859, A. G. Hammack was appointed Chairman, and V. A. Houseworth, Secretary.

The Chairman briefly explained the object of the meeting, after which, Judge Crane, in a brief and cogent speech, gave an account of his labors and exertions as Delegate of Nevada to Congress.

On motion of V. A. Houseworth, it was unanimously

resolved, that we fully endorse the citizens' proceedings of Carson City, of June 6th.

On motion of B. F. Little, it was unanimously

resolved, that the Chair appoint five Delegates to meet at Carson City, Eagle Valley, on June 20th, to appoint Delegates of this District to be elected by the people, to the Convention to be held at Genoa, Carson Valley, on the 18th day of July ensuing, to consider the public good.

The Chair appointed V. A. Houseworth, J. A. Osborn, Jas. F. Rogers, L. S. Bowers and Capt A. A. Parker said Delegates

It was unanimously

resolved, that we, the miners of Gold Hill, in demonstration of respect to Judge Crane, for his manly and distinguished services as Delegate to Congress, entitles him to our highest considerations.

The following preamble, rules and regulations were unanimously adopted:

Whereas, The isolated position we occupy—far from all legal tribunals, and cut off from those fountains of justice which every American citizen should enjoy, renders it necessary that we organize, in body politic, for our mutual protection against the lawless and for meteing out justice between man and man. Therefore, we the citizens of Gold Hill and vicinity do hereby agree to adopt the following rules and laws for our government:

ARTICLE 1st. There shall be elected one Justice of the Peace, one Constable, and one Recorder of this District, for the term of six months.

ARTICLE 2d. The duty of the Justice shall be to issue all subpoenas, summons', warrants, attachments, etc., as may be required, to try all civil and criminal cases, and award such judgments as the evidence of the case or the decision of the jury may require.

ART. 3d. The duty of the Constable shall be to serve all precepts emanating from the Court, keep in Custody all prisoners for crimes or misdemeanors until convicted or acquitted, act as a conservator of the peace and inflict all penalties that may be awarded against offenders.

ART. 4th. The duty of the Recorder shall be to keep in a well bound book a record of all mining claims, that may be presented for record, with the names of the parties locating or purchasing, the number of feet, where situated, and the date of location or purchase; also, return a certificate for said claim or claims.

RULES AND REGULATIONS

SECTION 1st. Any person who shall wilfully and with malice aforethought take the life of any person, shall, upon being duly convicted thereof, suffer the penalty of death by hanging.

SEC. 2d. Any person who shall wilfully wound or maim another, shall, upon conviction thereof, suffer such penalty as the Jury may determine.

SEC. 3d. Any person found guilty of robbery or theft, shall, upon conviction, be punished with stripes or banished, as the Jury may determine.

SEC. 4th. Any person found guilty of assault and battery, or exhibiting deadly weapons in a threatening manner, shall, upon conviction, be fined or banished, as the Jury may determine.

SEC. 5th. No banking games, under any consideration, shall be allowed in this district, under the penalty of final banishment from the district.

SEC. 6th. The same fees shall be allowed in the Justice and Constable as those allowed in California, the fees to be paid by the parties litigant, and the Court by the laws as laid down in the California Statutes, so far as applicable.

SEC. 7th. Evidence of record of claims shall be considered title in preference to claims that are not recorded, nor shall the Recorder record more than one hill, dry gulch or ravine claim in the name of an individual, unless the same has been purchased.

SEC. 8th. All claims shall be carefully defined by a stake at each end of the claim, with the number of members forming said company and the number of feet owned,

SEC. 9th. All claims shall be worked or the notice renewed in sixty days from the day of record, and no claim shall exceed two hundred feet square, hill claims excepted, which may reduced to fifty feet front.

SEC. 10th. The Recorder shall be allowed the sum of twenty-five cents for recording the claim of each individual or member of a company.

SEC. 11th. No Chinaman shall be allowed to hold a claim in this district.

SEC. 12th. This district shall include all the territory from the meridan of John Town to Steamboat Valley.

SEC. 13th. All quartz claims shall not exceed three hundred feet in length, including the depths and spurs.

SEC. 14th. Any person or persons discovering a quartz vein shall be entitled to an extra claim, on all veins he or they may discover.

SEC. 15th. All persons holding quartz claims shall actually work to the amount of $15 to the share, within ninety days from the time of locating.

SEC. 16th. All persons holding quartz claims and complying with Section 15th, shall hold the same for the term of 18 months as actual property.

SEC. 17th. All quartz claims shall be duly recorded within thirty days from the time of locating.

SEC. 18th. No person shall locate more than one claim on a vein discovered.

SEC. 19th. Any and all persons locating for mining purposes shall have the same duly recorded within ten days from the time of locating.

SEC. 20th. *Resolved*, that the above rules and regulations shall be signed by the citizens of this district, and all who may locate hereafter.

On motion, it was unanimously

resolved, that the proceedings of this meeting be published in the "Territorial Enterprise," in Carson Valley.

J. A. Osborn was duly elected Justice of the Peace; Jas. F. Rogers, Constable; V. A. Houseworth, Recorder.

On motion, the meeting adjourned.

A. G. HAMMACK, *Chairman.*

V. A. HOUSEWORTH, *Secretary.*

GOLD HILL MINING DISTRICT, SUNDAY, *February 26th*, 1860.

At a meeting of the Miners of Gold Hill District, on motion, Mr. J. H. Mills was called to the Chair, and S. A. West appointed Secretary.

The Chairman briefly stated the object of the meeting.

On motion, that a committee of five be appointed to draft a revised code of laws.

The following persons were appointed said committee: J. H. Mills, Dr. Witter, Edw. C. Morce, H. Clark and S. A. West.

On motion, that the committee be allowed one week to report.

On motion, the meeting adjourned until Sunday, March 4th.

SUNDAY, *March* 4th, 1860.

Meeting met pursuant to adjournment.

The committee appointed to revise the Mining Laws of Gold Hill District would respectfully submit the following:

This District shall be bounded as follows, to wit: On the east by the Devil's Gate District; on the north by Virginia District; on the west by Washoe District, and on the south by Carson District. The lines to be established by the several Districts by mutual agreement.

SECTION 1. No person shall be entitled to hold more than one claim on any one quartz lead by location.

SEC. 2. All quartz claims hereafter located, shall not exceed two hundred feet in length, including all dips, spurs and angles.

SEC. 3. Any person or persons discovering a quartz lead, shall be entitled to one claim in addition for such discovery.

SEC. 4. All quartz claims shall be duly recorded within five days from the time of location.

SEC. 5. All persons locating quartz claims shall define by a stake at each end of the claims where the ledge is visible, giving the names forming said company and the number of feet claimed.

SEC. 6. Any person or persons locating quartz claims where the ledge is not visible, shall be required to set his or their notice as near as possible to said claim or claims until the ledge shall be defined, giving the names forming said company, as in section 5th.

SEC. 7. All persons holding quartz claims shall work to the amount of three days for each claim, in each and every month on said claim or claims, or work to the amount of fifty dollars, which shall hold said claim for the term of six months.

SEC. 8. No person shall be allowed more than one claim in any one gulch, ravine or hill, unless by purchase.

SEC. 9. All ravine or gulch claims shall not exceed one hundred feet square each, hill claims excepted, which may be reduced to fifty feet front.

SEC. 10. All hill, ravine or gulch claims shall be recorded within five days from the time of location. Each claim or claims shall be defined by a stake at each corner, with the names of the person or persons forming said company.

SEC. 11. All surface claims shall be worked within ten days after there is sufficient water to successfully work said claims.

SEC. 12. There shall be a Recorder elected, to hold his office during the pleasure of the miners.

SEC. 13. The duty of the Recorder shall be to keep in a well bound book a record of all mining claims that may be presented for record, with the names of the parties locating or purchasing, with the number of feet claimed, where situated, and the date of location or purchase; also, returns a certificate of record of said claim or claims, giving the book and page of said record.

SEC. 14. The Recorder shall be required to go upon the ground and place the stakes and notices on the claims, as in section 5th and 6th, and for such services shall be paid 75 cents per claim.

SEC. 15. The Recorder shall not record any claim or claims that is already recorded and unforfeited, according to the laws of this District.

SEC. 16. No Chinaman shall be allowed to hold a claim in this District.

SEC. 17. All claims located under the old law shall become subject to the revised law after the expiration of three months from this date, as to the working of said claim or claims.

SEC. 18. It shall be the duty of the Recorder to keep the books of record in a safe place, and allow the public to examine them in his presence.

SEC. 19. That the laws as adopted shall go into effect from this 4th day of March, A. D. 1860.

On motion, that the proceedings of this meeting be published in the TERRITORIAL ENTERPRISE.

J. H. MILLS, *President.*

S. A. WEST, *Secretary.*

MINERS' MEETING, 1873.

Pursuant to a call, published in the Gold Hill NEWS, a meeting of the Miners of this District was held at Theater Hall, Gold Hill, Wednesday evening, October 8th, 1873. The meeting was called to order by H. G. Maynard, Esq., and, upon motion, Judge S. H. Robinson was duly elected Chairman, and John R. White appointed Secretary.

The Chair stated the object of the meeting to be to revise and amend the District Mining Laws so as to accord with the Act of Congress in relation to the location of Mining Claims, and in a few appropriate remarks, showed the points of difference and the advisability of a change.

After some little discussion between members of the meeting, the following amendments to the District Mining Laws were offered and unanimously adopted:

Amendments to the Gold Hill District Mining Laws.

First—Section 9 of the Gold Hill District Mining Laws is hereby amended to read as follows: All surface or placer claims located may be in extent but shall not exceed the maximum amount allowed by Act of Congress, entitled "An Act to promote the development of the mining resources of the United States, approved May 10, 1872."

Second—All sections of the Gold Hill Mining District Laws in conflict with the provisions of the Act of Congress above recited are hereby repealed.

On motion, a committee of five, consisting of John H. Mills, H. G. Maynard, H. Fitzsimmon, A. Fleming and S. H. Robinson were appointed to fully examine the District Laws, and determine the necessity of any further amendments, with discretionary power to call a meeting at any time within a period of thirty days.

Resolved, That the proceedings of this meeting be published in the Gold Hill *News.*

Resolved, That a copy of the amendments to the District Laws be filed with the County Recorder of Storey County, Nevada.

The meeting then adjourned, subject to the call of the Committee.

S. H. ROBINSON, *President.*

J. R. WHITE, *Secretary.*

[This district was first organized during the year 1859, but whatever rules and regulations were adopted at that time were abolished at the meeting of March 4, 1860. No record whatever is obtainable referring to the first set of laws and regulations.]

STOREY COUNTY.—VIRGINIA MINING DISTRICT.

"DIVISIONS AND SECTIONS OF VIRGINIA DISTRICT.

SECTION first, Nevada Hill Shall extend from the divide between Gold Hill and Virginia districts to the point of rocks on a line with the north boundary of the claims of McFadden & Co.

SECTION No. 2. Granite Hill shall extend from Nevada Hill north to the ravine running east nearly on a line with the lot of Ross & Co.

SECTION No. 3. Virginia Hill Extends from Granite Hill north to the south fork of California Ravine.

SECTION No. 4. Cedar Hill Extends from Virginia Hill north to the north fork of California ravine.
SECTION No. 5 California Hill Follows the line of California ravine to its intersection with Six Mile Canyon.
SECTION No. 6. Carson Hill. Includes the North Side of the divide between Six Mile and Gold Canyons
SECTION No. 7. Quartz Hill. Includes the hill lying between Cedar ravine and California ravine".

These boundaries were established by the miners of the Virginia Mining District in September 1859.

VIRGINIA MINING DISTRICT.

At a meeting of the Miners of Virginia District, held at Virginia City, September 14th, 1859, the following laws were adopted for the government of the Miners of said District:

ARTICLE 1. All quartz claims hereafter located shall be two hundred feet on the lead, including all its dips and angles.
ART. 2. All discoverers of new quartz veins shall be entitled to an additional claim for discovery.
ART. 3. All claims shall be designated by stakes and notices at each corner.
ART. 4. All quartz claims shall be worked to the amount of ten dollars or three days' work per month to each claim, and the owner can work to the amount of forty dollars as soon after the location of the claim as he may elect, which amount being worked shall exempt him from working on said claim for six months thereafter.
ART. 5. All quartz claims shall be designated and known by a name, and in sections.
ART. 6. All claims shall be properly recorded within ten days from the time of location.
ART. 7. All claims recorded in the Gold Hill record and lying in Virginia District shall be recorded free of charge in the record of Virginia District upon the presentation of a certificate from the Recorder of Gold Hill District, certifying that said claims have been duly recorded in said district, and said claims shall be recorded within thirty days after the passage of this article.
ART. 9. Surface and hill claims shall be one hundred feet square, and designated by stakes and notices at each corner.
ART. 10. All ravine and gulch claims shall be one hundred feet in length, and in width extend from bank to bank, and be designated by a stake and notice at each end.
ART. 11. All claims shall be worked within ten days after water can be had sufficient to to work said claims.
ART. 12. All ravine, gulch and surface claims shall be recorded within ten days after location.
ART. 13. All claims not worked according to the laws of this district shall be forfeited and subject to re-location.
ART. 14. There shall be a Recorder elected, to hold his office for the term of twelve months, who shall be entitled to the sum of fifty cents for each claim located and recorded.
ART. 15. The Recorder shall keep a book, with all the laws of this district written therein, which shall at all times be subject to the inspection of the miners of said district, and he is furthermore required to post, in two conspicuous places, a copy of the laws of said district

On motion, it was

resolved that these laws be published in the TERRITORIAL ENTERPRISE for one month.
Resolved, That W. C. Campbell be declared the Recorder of this District.

W. C. CAMPBELL, *Chairman.*
S. M. FADDEN, *Secretary.*

VIRGINIA, *Sept.* 14th, 1859.

LYON COUNTY.—DEVIL'S GATE AND CHINATOWN MINING DISTRICT.

MINING LAWS OF DEVIL'S GATE & CHINA TOWN DIST.

At a meeting of the Miners of Devil's Gate and China Town District held at the Devil's Gate on Sunday evening November 19th 1859 the following by-laws were adopted,

ARTICLE 1st This District shall be known as the Devil's Gate and China Town Mining District, and shall be bounded as follows, to wit; Commencing at the Devil's Gate and running in a westerly direction to the foot of the American Flat; thence on a straight line to the eastern boundary of Eagle Valley and Washo District; thence following said line in a southeasterly direction to Rose's Dam, on Carson River, thence down said river to China Town thence up the divide and along the western line of Virginia District to the head of Negro Ravine; thence in a straight line to the place of beginning.
ARTICLE 2nd All Quartz Veins of Gold or Silver, hereafter, located shall be two hundred feet on the lead including all its dips angles and spurs,
ARTICLE 3d, All discoverers of New Veins shall be entitled to One additional Claim for discovery,
ARTICLE 4th All Claims Shall be designated by Stakes and Notices at each end
ARTICLE 5th All Claims shall be worked to the Amount of ten dollars or three days work per Month to each claim, but the owner can work to the Amount of forty dollars as soon after location as he may see proper, which amount shall exempt him from working said Claim for Six months thereafter,
ARTICLE 6th All Claims shall be designated by a name and its locality particularly described,
ARTICLE 7 All Claims shall be properly recorded within five days after location.
ARTICLE 8. All Claims not worked according to the laws of the district shall be forfeited and subject to re-location
ARTICLE 9 There shall be a *Recorder* elected to hold his Office for the term of twelve months, who shall be entitled to fifty cents for each claim recorded.
ARTICLE 10, The Recorder shall keep in his own possession a well-bound book with all the laws of this District written therein, which shall at all times be subject to the inspection of the Mines of the district
ARTICLE 11 It shall be the duty of the Recorder to be on the ground located before recording the same
ARTICLE 12 All notices of Claims recorded under the Gold Hill laws,—shall be transferred within twenty days—after the adoption of the foregoing laws into this district, and shall be recorded free of charge.
ARTICLE 13 When a gold or silver vein is discovered and cannot be traced out at the time of its location, the owners of said ledge shall be entitled to all its dips and angles when found
ARTICLE 14 Surface and hill Claims shall be one hundred feet square, and be designated by Stakes and notices at each corner,

ARTICLE 15 All ravine and gulch claims shall be one hundred feet in length, and in width, extending from bank to bank, and be designated by a stake and notice at each end

ARTICLE 16 All placer and Gulch claims shall be worked within ten days after water can be had to work them,

ARTICLE 17 All disputes in regard to Mining Claims shall be decided by a Miners Court, which shall consist of a Justice whoes duty it shall be to administer an oath or affirmation to witnesses and Jurymen, the Jury to consist of six or twelve persons, as the parties may agree and the Majority of said Jury shall decide the case,

On Motion it was ordered that the foregoing laws be published in the Territorial Enterprise

B. B. BROWN *Prest*

P. C. VANHORN *Secretary*

LAW OF POSPONEMENT PASSED ON MAY 13TH. 1860 AT SILVER CITY

Whereas hostile Indians threaten the Safety of the Inhabitants of this District, and many are absent & will be in Consequence thereof it is Resolved that the laws requiring Mining Claims to be Worked, be Suspended for Thirty days & that No claims shall be Subject to re-location for that time. Filed May 13th 1860 the day of its passage & Recorded May 14th 1860

B. T. BROWN *Recorder*
per WM H. DALLY *Dep*

I Certify this is a true Copy taken from Book C Page 142 of the Records

B. T. BROWN *Recorder*
per GRIER *Dep*

NEW MINING LAW.

Pursuant to a Notice one Week in advance a Miners Meeting Met on June 30th at the Recorders office in the Devil's Gate District.

Thos J. Tennant nominated and Elected president and T. W. Penney Secretary

The following resolutions were voted upon and adopted VIZ

Whereas, there being within the Devils Gate District a Number of Quartz Ledges upon which Companies have expended their labor and money in opening or prospecting

And WHEREAS there are no means within the District whereby they can crush or work the quartz; That more work done upon many Ledges would be useless labor and injurious to the Companies and as a protection to those who have toiled and Expended their labor and money in developing the resources of the Country Therefore be it resolved

1st That any Quartz Ledge taken up and worked upon by any Company and prospected Shall Not be Subject to re-Location for less than Six Months from the date of the record provided for in the next resolution.

2d That when a Company have prospected their ledge they shall call upon the Recorder of the District and require him to visit their ground and if he considers it prospected he shall be required to record the same among the mining records of the District and demand from the Company Two Dollars before recording the Same.

3rd That no ledge shall be Considered prospected where less than a Shaft of Fifteen feet has been sunk or a Tunnel less than Twenty feet run and in no case shall a claim be considered prospected unless the ledge has been struck and three ton of Quartz taken therefrom,

4th That any person purchaseing *bone-fide* any Interest in any Quartz ledge in this District shall not lose the same by any subsequent re-location upon the same and any such Interest being Jumped upon proof before the recorder and that such interest was purchased in good faith and the money paid for it—the recorder Shall Notify the jumper or Jumpers and Should he or they refuse after three days to restore the ground to the owners the recorder shall be required to Summons Sufficient Number of Miners and residents of the District to Expell them therefrom the ground. The same power shall be given the Recorder to carry out and enforce the provisions of resolution No. 3 (three) The parties for whose benefit the recorder performs the above services shall pay to Said Recorder the Sum of Five Dollars (5$)—

On Motion The foregoing resolutions were ordered to be published in the Territorial Enterprise San Francisco Bulletin and Sacramento Union

THOS. J TENNANT *Prest.*

T. W. PENNY, *Sect,y*

Recorded June 30th, 1860

B. T. BROWN *Recorder*
per GRIER *Dep*

REVISED MINING LAWS OF THE DEVIL'S GATE AND CHINATOWN MINING DISTRICT

ARTICLE 1. This District shall be known as the Devil's Gate and Chinatown Mining District, and shall be bounded as follows, to wit: Commencing at the Devil's Gate and running in a westerly direction to the foot of American Flat; thence on a straight line to the eastern boundary of Eagle Valley and Washoe Districts; thence following said line in a southerly direction to Rose's Dam, on the Carson river; thence down said river to Chinatown; thence up the divide and along the western line of Virginia District to the head of Negro Ravine; thence in a straight line to the place of beginning.

ART. 2. All quartz veins of gold and silver, or other metals, hereafter located, shall be two hundred feet on the lead, including all the dips, angles and spurs.

ART. 3. All discoverers of new veins shall be entitled to one additional claim for discovery.

ART. 4. All claims shall be worked to the amount of ten dollars, or three day's work per month to each claim.

ART. 5. That any quartz ledge taken up and worked or prospected by any person or company shall not be subject to re-location for the space of six months following the date of the record provided for in the next article.

ART. 6. That when a company have prospected their ledge, they may call upon the Recorder of the District, and require him to visit their ground, and if, on examination, he considers it duly prospected, it shall be his duty to record the same among the mining records of the District; for which service he shall be entitled to demand and receive the sum of two dollars prior to making the required record.

ART. 7. That no ledge shall be considered prospected unless a shaft at least fifteen feet deep has been sunk, or a tunnel of at least twenty feet has been run; and in no case shall a claim be considered prospected unless the ledge has been struck, and at least three tons of quartz taken therefrom.

ART. 8. All claims shall be designated by a name, and its locality described, as near as possible, by a notice posted on the same.

ART. 9. All claims shall be properly recorded within five days after location.

ART. 10. All claims not worked according to the laws of the District, shall be forfeited, and subject to re-location.

ART. 11. There shall be a Recorder elected to hold his office for the term of one year; who shall be entitled to fifty cents for each claim recorded

ART. 12. The Recorder shall keep in his own possession a well bound book, with all the laws of this District written therein; which shall at all times be subject to the inspection of the miners of this District.

ART. 13.—When a vein of gold or silver or other metals is discovered, and cannot be traced at the time of its location, the owners of said ledge shall be entitled to it, and all its dips and angles, when found.

ART. 14. Surface and hill claims shall be one hundred feet square, and be designated by stakes and notices at each corner.

ART. 15. All ravine and gulch claims shall be one hundred feet in length, and in width extending from bank to bank, and be designated by stakes and notices at each end.

ART. 16. All placer and gulch claims shall be worked within ten days after water can be had to work them.

ART. 17. All laws heretofore passed by the miners of this District, are hereby repealed

SAM. T. CURTIS *Chairman*

J. J. MILLS, *Secretary*

The meeting, at which the foregoing laws were adopted, was held on or about the 1st of Nov. 1861.

On motion the by-laws submitted by the committee were read and voted on section by section. Following are the laws unanimously adopted:

LOCAL REGULATIONS OF THE DEVIL'S GATE AND CHINATOWN MINING DISTRICT.

ARTICLE I. This District shall be known as the Devil's Gate and Chinatown Mining District, and shall be bounded as follows, to wit: Commencing at the Devil's Gate and running in a westerly direction to the foot of American Flat, thence on a straight line to the eastern boundary of Eagle Valley and Washoe Districts; thence following said line in a southerly direction to Rose's Dam, on the Carson river; down said river to Chinatown; thence up the divide and along the western line of Virginia District to the head of Negro Ravine; thence in a straight line to the place of beginning.

ARTICLE II. All claims located shall be designated by a name, and its locality described by a notice posted on the same, and shall also have monuments or posts not less than four by four inches square and three feet high at each corner of mine.

ARTICLE III. All locations of mines shall be properly recorded within twenty days after location.

ARTICLE IV. Not less then one hundred dollars' worth of labor shall be performed, or improvements made each year, upon each and every location in this district; and any party or parties doing such work, shall, within ten days, file with the District Mining Recorder a sworn statement that such labor has been performed, and the same shall be recorded, for which the Recorder shall receive a fee of one dollar.

ARTICLE V.—There shall be a Recorder elected to hold his office for one year or until his successor is elected and qualified, who shall be entitled to and receive, for recording each notice of location, two dollars and fifty cents.

ARTICLE VI. The recorder shall keep in his own possession a well-bound book, with all the laws of the district written therein, which shall at all times be open to the inspection of the public. The Recorder shall not allow the book to be taken out of the office unless by competent authority.

ARTICLE VII. All surface or placer claims located may be in extent, but shall not exceed the maximum amount allowed by Act of Congress entitled 'An Act to promote the development of the mining resources of the United States,' approved May 10, 1872.

ARTICLE VIII. All placer and gulch claims shall be worked within ten days after water can be had to work them.

ARTICLE IX. All sections of the Devil's Gate and Chinatown Mining District laws in conflict with the provisions of the Act of Congress above cited in Article VII are hereby repealed.

ARTICLE X. All laws heretofore passed by the miners of this district are hereby repealed.

The foregoing laws were adopted at a meeting of the miners of Devil's Gate and Chinatown Mining District held at Silver City, Feby 24. 1879

WASHOE COUNTY.—ARGENTINE MINING DISTRICT.

MINERS MEETING

SPRING RAVINE, UTAH TERRITORY *March 19th* 1860.

Pursuant to notice the Miners of this Locality met at the Tunnel of Algiers Company, Edward Holske was called to preside and Samuel Hart was chosen as Secretary. After a few remarks the following Resolutions were unanimously passed.

Resolved 1st That the Miners of this Locality having a large extent of mining Country not yet formed into a District and seeing day bye day the inconvenience of travelling far so as to Record their different Claims, have this day, Monday this 19th March 1860 formed and do form a new district with rules and regulations attached to the same forming a Code of Laws hereinafter described, this said new district to go under the name and Appellation of the Argentine District.

Resolved 2nd That We do hereby appoint R. C. McKenzie as Recorder of said Argentine District and have elected him to said office unanimously.

LAWS OF THE MINES OF ARGENTINE DISTRICT, U. T.

ARTICLE 1st The Boundaries of said district shall be as follows: commencing North or North Easterly at Toll Gate, thence Easterly following the Western Boundaries of Virginia District and Gold Hill District, thence striking off South from the lower part of American Flatt in Gold Hill district at a post, *marked Argentine District* to the Northern shore of Washoe Lake, opposite the Dick Side Mill, thence

running northerly following up the Northern shore and striking the Boundaries of the Galena District up to Steamboat Springs, thence to the Toll Gate the place of beginning

ARTICLE 2nd All quartz claims located in this district shall be two hundred (200) feet on the lead, including all its dips, spurs and angles.

ARTICLE 3rd All Discoverers of New quartz veins shall and will be entitled to an additional claim of (200) two hundred feet for Discovery.

ARTICLE 4th All claims shall be designated by Stakes and Notices at each end of any Company's Claims, provided, the ledge can be easily traced; but in case the Ledge cannot be readily traced, may at any time drive their stakes where the Lead is known to Run. And any Claim located after any claim so located, and found not to be on the ledge, shall not conflict with the claims so located. The Ledge upon which any claim or claims are located shall be designated by name.

ARTICLE 5th All quartz claims shall be worked to the amount of four days or $12.00 twelve dollars per, month to each claim, And the owner can work to the amount of $50.00 fifty dollars as soon after the Location of the claim as he may choose, Which Amount being worked shall exempt him from working on said claim for six months thereafter.

ARTICLE 6th All claims shall be properly recorded within ten days from the time of location.

ARTICLE 7th Any Claim recorded in any other district until date 19th March 1860 and lying in Argentine district, may be recorded free of charge in the Record at Argentine district, upon a presentation of a Certificate from the Recorder of the district in which they are recorded, certifying that said claim has been duly recorded.

ARTICLE 8th All placer or Surface diggings or claims shall be one hundred feet square and be designated by Stakes and notices at each Corner.

ARTICLE 9th All Surface and Ravine Claims or Gulch Claims shall be one hundred feet square and be designated by stakes and notices at each corner.

ARTICLE 10th All Surface and Ravine claims or Gulch claims shall be worked within ten days after sufficient Water can be had to work such claims.

ARTICLE 11th All Claims not worked according to the Laws of this district shall be forfeited and subjected to relocation.

ARTICLE 12th There shall be a Recorder elected to hold his Office for the term of twelve months. The Recorder shall be required to go upon the ground and place the stakes and notices on the Claims and for such Services shall be paid $1.00 one dollar per claim

ARTICLE 13th No Chinaman shall be allowed to hold a claim in this district.

On Motion it was

Resolved that these Resolutions and Laws be published in the Territorial Enterprise for one month.

EDWARD HOLSKE *Chairman*

S. HOYT *Secretary*"

ARGENTINE MINING DISTRICT *June* 1st, 1863.—

Pursuant to call made by posted notices, the miners of Argentine Mining District met at the Summit House, Ophir grade, for the purpose of adopting a set of by-laws for the government of the District, and to elect a Recorder.

The meeting organized by electing R. E. Williams, President, and Erastus Bond Secretary.

On motion, Erastus Bond, S. C. Rowe, and Joseph Bretz were appointed a committee to draft by-laws, and to define the boundary of the District.

The committee present the following report, which, on motion, was unanimously adopted:

The boundary of the District shall be as follows, to wit:

On the east by Sulphur Springs, Gold Hill and Virginia District; on the north by the Geiger road; on the west by Pleasant Valley and Washoe Lake, and on the south by Rose's Range.

BY-LAWS.

SEC. 1. No person shall be entitled to hold more than one claim on any one quartz ledge by location.

SEC. 2. All quartz claims hereafter located shall not exceed two hundred feet in length, including all dips, spurs and angles.

SEC. 3. Any person or persons discovering a quartz lead shall be entitled to one claim additional for such discovery.

SEC. 4. All quartz claims shall be duly recorded within ten days from time of location.

SEC. 5. All persons locating quartz claims shall define the same by a stake at each end of the claim where the ledge is visible, giving the names of the locators, and the number of feet claimed.

SEC. 6. Any person or persons locating quartz claims where the ledge is not visible shall be required to set his or their stake and notice as near as possible to said claim or claims until the ledge shall be defined: Provided, that the locator shall have but one hundred and fifty feet on each side of his or their stake or notice to make said discovery, giving the names of the locators, and number of feet located as in Sec. 5.

SEC. 7. All persons holding quartz claims shall work the same to the amount of three days for each claim in each and every month on said claim or claims, or work to the amount of fifty dollars on each claim, which shall hold said claim for the term of six months.

SEC. 8. There shall be a Recorder elected, to hold office during the pleasure of the miners.

SEC. 9. The duty of the Recorder shall be to keep in a well bound book, a record of all mining claims that may be presented for record, with the names of the parties purchasing or locating, with the number of feet claimed, where situated, and the date of location or purchase, return a certificate of record of said claim or claims, giving the book and page of said record.

SEC. 10. The Recorder shall receive for his services fifty cents for each claim or name recorded: Provided, that if the locator requires the Recorder to go upon the ground and set the stakes, he shall then receive one dollar for each claim located.

SEC. 11. It shall be the duty of the recorder to keep the book of records in a safe place, and allow the public to examine them in his presence.

Resolved, That the laws as adopted shall go into effect from this, first day of June, A. D. 1863.

Erastus Bond was then elected Recorder, after which the meeting adjourned.

R. E. WILLIAMS, *Pres't.*

ERASTUS BOND, *Sec'y.*

ESMERALDA COUNTY.—ESMERALDA MINING DISTRICT.

At a meeting of the miners of Esmeralda District held at Braly Cory & Hicks camp August 30th 1860— Dr E. F. Mitchell was chosen President & James M. Braly Sect'y—

The following laws were then adopted for this Dist—

SEC 1—This Dist shall be called the Esmeralda Dist & shall be bounded as follows—a line commencing at a point five miles south of the discovery claim on the Esmeralda lode running East five miles thence north ten miles thence west ten miles thence south ten miles thence five miles east to the place of beginning—

SEC 2—No person shall be entitled to hold more than one claim on any one quartz lead by location—

SEC 3—All quartz claims hereafter located shall not exceed two hundred feet in length including all dips, spurs & angles Spurs to extend fifty feet each side of the ledge

SEC 4 Any person or persons discovering a quartz ledge shall be entitled to one claim in addition for such discovery—

SEC 5 All quartz claims shall be duly recorded within ten days from the time of location—

SEC 6—All persons locating quartz claims shall designate by name the ledge claimed, the course as near as may be, in which it runs & define the same by stakes or other land-marks giving the names of all persons composing said company by notice placed thereon and number of feet claimed—Any person or company locating for a blind ledge shall not be allowed more than one hundred feet in width, which distance shall be computed by an equal number of feet on either side the stake or landmarks first set—

SEC 7—All persons holding quartz claims shall work to the amount of two days for each claim in each & every month after the recording of said claim or claims Provided that work to the amount of ten dollars shall hold each claim until the first day of June (1861) eighteen hundred & sixty one—

SEC 8—No person shall be allowed more than one Claim on any one gulch, ravine or hill unless by purchase—

SEC 9—All ravine or gulch claims shall not exceed one hundred feet square each, hill claims excepted which may be reduced to fifty feet front—

SEC 10—All hill gulch or ravine claims shall be recorded within ten days from the time of location—Each claim or claims shall be defined by a stake at each corner with the name or names of the person or persons forming said company—

SEC 11—All surface claims shall be worked within ten days after there is sufficient water to successfully work said claims, Provided that work to the amount of ten dollars shall hold each claim until the first day of June (1861)—

SEC 12—There shall be a Recorder elected who shall hold his office during the pleasure of a majority of the miners of the District—

SEC 13—The duty of the Recorder shall be to keep in a well bound book a record of all notices of mining claims that may be presented for record, with the name of the party locating or purchasing, with the number of feet claimed, where situated & the date of location or purchase, also return a certficate of record of said claim or claims giving the book, page & date of said record—

SEC 14—The Recorder shall be required to go upon the ground, measure it & place the stakes & notices upon the claims as specified & for such services shall be paid one dollar per claim—

SEC 15—The Recorder shall not record any claims that are already recorded & unforfeited—

SEC 16—It shall be the duty of the Recorder to keep a well bound book for recording all deeds & transfers of mining claims in this District—It shall also be the duty of the Recorder to keep all books of record in a safe place & allow the public to examine them at any time in his presence—

SEC 17—The Recorder shall be allowed the sum of two dollars & fifty cents for recording & certifying such record of each deed or bill of sale of mining claims & no greater sum—

SEC 18—The Recorder shall not allow any person to take any notes or extracts from his records with pen & ink but only with pencil so as to avoid erasures & inter lineations of the records—

SEC 19—These laws shall go into effect from and after this date, the thirtieth day of august Eighteen hundred & sixty—

SEC 20—In the election of a new Recorder ten days notice shall be given by public posters & the new Recorder shall not enter upon the duties of his office for twenty days after his election—

It was then resolved that these laws be sent to the "Territorial Enterprise" for publication

James M Braly was then duly elected Recorder for the Esmeralda District—

The meeting then adjourned—

E. F. MITCHELL *President*

JAMES M BRALY *Secretary*—

At a meeting of the miners of Esmeralda Mining District, Esmeralda County State of Nevada duly called & held on Monday Evening Nov 5th A D 1877 for the purpose of revising the local mining laws of said Dis't the following proceeding were had towit— Upon motion J. M. Meredith was elected Chairman of the meeting & E. McFadden Secretary— Upon motion the Sect'y read the mining laws of the District as heretofore passed from time to time with the revisions thereto—

Thereupon the following named persons were elected by the meeting as a committee to revise the laws of the Dis't towit M. A. Murphy—J. M. Meredith—& J. M. Fairwell & that said committee report to this meeting on Friday Nov 9th A D 1877 at 7 o'clock P. M.

J. M. MEREDITH *President*

Attest

E MCFADDEN *Secty*—

FRIDAY *Nov 9th* 1877 7 o'clock P. M.

Pursuant to adjournment the miners of Esmeralda Mining Dist. Esmeralda Co Nevada met at the court room in the Town of Aurora in said District—

The meeting was called to order by J. M. Meredith chairman & upon motion the minutes of the last meeting were read & approved Whereupon the committee appointed at the last meeting to revise the mining laws of said Dis't reported the following towit—

REPORT OF COMMITTEE

Your committee appointed to draft rules & laws to govern the location & working of mining claims in Esmeralda Mining Dis't, Esmeralda County Nevada would respectfully report the following—

First That we have carefully considered the Mining laws as passed by the congress of the United States on May 10th 1872 & the amendment made subsequent to that date and after such consideration would recommend the adoption of said laws with as little change or addition thereto as may be, for the reason that all laws should be made plain, Laws should be made for the enforcement or protection of private rights, & redress or prevention of private wrongs— Laws should be made to protect the poorest & most humble citizen in the land as well as the rich who are better able to protect themselves—

In consideration of these things we would recommend the adoption for the government of this District the mining laws as passed by the Congress of the United States May 10th 1872 with the amendments thereto with the provisions hereinafter named to wit:

MINING LAWS OF ESMERALDA MINING DISTRICT AS ADOPTED BY THE MINERS AT A MEETING HELD NOV 9TH 1877—

ARTICLE 1—SEC 1—It is hereby resolved by the miners of Esmeralda Mining Dis't Esmeralda County Nevada that we adopt for the location working & regulation of mining claims and laws of the United States as passed by the Congress on May 10th 1872 with the amendments thereto—Provided, That any person or persons locating a Quartz ledge, vein or lode shall not be allowed to locate & claim any more than one hundred feet on each side of the line of the Lode instead of three hundred feet as allowed by the said U. S. Mining laws—

SECTION 2—All claims located in this District shall be duly recorded by the Mining District Recorder within ten days from the date of such location—

SECTION 3—Upon the application of any person locating a mining claim it shall be the duty of the Mining Recorder to go upon the ground and measure off such claim in accordance with the notice of location & shall see that posts & monuments are placed at each corner of the claim said posts to be not less than three (3) feet in heighth by not less than 2 x 4 inches, to be secured by monuments of rock or earth not less than 18 inches high a like post & monument shall be placed at each end of the claim upon the ledge or lode line of the claim on which shall be written by the Recorder in large plain letters the name of the claim, the direction in which it runs, the number of feet claimed & the date of the location—And the Recorder shall write on each corner post & indicate thereby the corner of the claim, after which the locator or locators shall be entitled to a certificate from the Recorder certifying of such location & such certificate shall be the evidence of such location—

SECTION 4—For measuring off & recording each claim of 1500 feet or less, & to include the making of the Certificate & fulfilling the requirements named in Sec 3 he shall be entitled to the sum of seven dollars & fifty cents ($7\frac{50}{100}$) to be paid by the locator or locators—

SECTION 5—Any person having performed $100 worth of work or improvements upon his claim of 1500 feet or less within one year from the date of location thereof, and for each ensueing year thereafter as required by the laws of Congress as passed May 10″ 1872, May require the Recorder to go upon the claim & measure said work, & if the Recorder shall be satisfied that said work has been done, as required by law, he shall issue to such person or persons a certificate which certificate shall be placed upon record by the Recorder in a book, provided for that purpose setting forth the same, & for such service including the certificate & recording, the Recorder shall be entitled to the sum of five ($5-^{00}) dollars Provided, That if the Recorder & parties applying for such certificate cannot agree as to the amount of work performed as aforesaid, then it shall be lawful for the Recorder to select one disinterested person & the party performing the labor to select one other disinterested person, they to decide upon the amount of labor performed, provided that if such person so chosen fail to agree, then to choose a third disinterested person & a decision of the majority of the three persons so chosen to be final—

SECTION 6—The Recorder shall not record any claim which has already been recorded & unforfeited—All laws heretofore passed by the miners of this District in Conflict with these laws are here by repealed—

Where upon by a unanimous vote of the meeting the report of the Committee was duly approved and the laws as revised, & reported by said Committee were unanimously adopted and declared to be the local mining laws of Esmeralda Mining District Esmeralda County, State of Nevada—

And no other business coming before the meeting, the meeting adjourned Sine Die

J. M. MEREDITH *Chairman*

Attest

E McFADDEN *Secretary*—

LYON COUNTY.—INDIAN SPRINGS MINING DISTRICT.*

Pursuant to publick notice the miners of Indian Springs assembled at the Camp of Col. G. W. Whitman on monday Sept 24th 1860 for the purpose of setting apart a new Mining District and passing laws for the government of the same.

On motion Col G. W. Whitman was called to the chair and John Platt was chosen Secretary

The Chairman stated the object of the meeting as above set forth.

The Secretary presented and read the following laws, which on motion were unanimously adopted.

This District shall be known as the Indian Springs Mining District and shall be bounded as follows. Commencing at an Indian Spring near the mountain Companys South Stake (Mountain Ledge) and running thence easterly eight miles thence northerly six miles, thence westerly twelve miles thence easterly four miles to the place of beginning.

SECTION 1. No person shall hold more than one claim by location on any quartz Ledge in this District, except the discoverer or discoverers of a new ledge, who shall be entitled to one additional claim for discovery.

SEC. 2d. No claim hereafter located shall exceed 200 feet in length on the ledge, including all dips, spurs and angles.

SEC. 3 All claims shall be duly recorded within 10 days after location.

* The Indian Springs Mining District was consolidated with the Palmyra Mining District May 24, 1869, and was given the name of "Como Mining District," which name was subsequently, on August 18, 1879, changed to "Palmyra and Indian Springs Mining District."

SEC 4 All persons locating quartz claims. Shall define by a stake at each end of the claim, where the ledge is visible, giving the name of the ledge and the Company, and the number of feet claimed.

SEC 5. Any person or persons locating quartz claims where the ledge is not visible shall be required to set his or their stakes as near as possible to said ledge, and shall be allowed one hundred feet on each side thereof in which to define the same.

SEC 6 All persons holding quartz claims shall be required to work two days for each claim evry month. Work to the amount of $50 to each claim shall hold said claim Six months.

SEC 7 Sufficient Surface ground on each side of a ledge shall be allowed for working privileges.

SEC 8 There shall be a Recorder elected who shall serve for the period of Six months, the first term to commence Sept 24th 1860.

SEC 9 The duty of the Recorder Shall be to keep in a well bound book a record of all mining claims that may be presented for record, with the names of the parties on purchaseing also giving a certificate of record giving the Book and page of such record. He shall be required to go upon the ground claimed and place Stakes and notices on claims as in Sec, 4 & 5 and for such services he shall be paid 75 cts for each claim. He shall be allowed $2.50 for recording a deed and $1.50 for recording a bill of sale. He shall not record any claim already recorded and not forfeited according to the laws of the District. He shall keep the Book in a safe place and allow the public to examine them in his presence. He shall record free of charge transcrips of records made in other Districts prior to Sept. 24. 1860 but which in consequence of the formation of this District are now embraced within its boundaries. He shall also record free of charge the proceedings of all meetings held. He shall if 'necessary' appoint one or more Deputys and at the end of his term shall deliver over to his successor all books, papers etc belonging his office.

SEC. 10 No person or persons shall be allowed to vote at, or take part in any meeting held in this District except *bone fide* claim holders within the Same.

SEC 11 Any or all of foregoing Sections may be altered amended or repealed by a vote of two thirds of the claim holders of this District in mass meeting assembled, provided ten days notice shall have been given by posted notices in this District and two other conspicuous places in Carson County.*

SEC. 12. All laws or parts of laws heretofore existing governing this District are hereby repealed or declared *null and void.*

SEC 13th The above laws shall take effect from and after Sept 24th 1860.

On motion John Platt was unanimously elected Recorder.

On motion the above proceedings were ordered to be published, in the Sierra Democrat.

On motion the meeting adjourned *Sine Die*

G. W. WHITMAN *Chairman*

JOHN PLATT *Secretary*"

Pursuant to notice the claim-holders of Indian Springs Dist met at the Camp of Col. G. W. Whitman on tuesday Oct. 1860 for the purpose of discussing the propriety of Suspending operations in this District fore the approaching winter.

Col G. W. Whitman was called to the Chair and H. H. Whitman was chosen Secretary.

On motion the following resolutions were adopted.

Resolved that Sec 6 of the laws of this District requiring two days labor to each claim, be, and the same is hereby declared *null and void* until the first day of June 1861

Resolved that the foregoing resolution shall apply only to claims unforfeited at this date, and those which may be located between now and the said 1st of June 1861.

Meeting adjourned *Sine die*

G. W. WHITMAN *Chairman*

H. H. WHITMAN *Secretary*"

Notice, Is hereby given that a miners meeting will be held at the Recorders office in Indian Springs District on Sunday March 24 1861 at 11, A. M. for the purpose of electing a Recorder and amending the laws of Said District

JOHN PLATT *Recorder I. S. D*

INDIAN SPRINGS DISTRICT *March* 15" 1861"

"MINERS MEETING

Pursuant to notice the claim holders of Indian Springs Dist met at the Recorders office on the 24th day of March 1861 for the purpose of amending the laws and electing a Recorder for said District.

The meeting was organized electing G. W. Whitman Chairman and John Platt Secretary

On motion the following amendment to the laws of Indian Springs District was adopted.

SECTION 1st Any party running a tunnel for, or sinking a shaft on a located ledge, and discovering a blind ledge shall be entitled to an equal number of feet in the ledge thus discovered that they had in the original ledge or claim without any further location, and if not the original discovery of the ledge being run for or worked on then an additional 200 feet for discovery

On motion John Platt was unanimously elected Recorder for Six months,

Meeting adjourned *Sine die*

G. W. WHITMAN *Chairman*

JOHN PLATT *Secretary*"

"MINERS MEETING

Pursuant to public notice of the claim holders of Indian Springs District met at the Recorders office on the 7th day of July 1863 for the purpose electing a Recorder of Said District. On motion Jackson Craig was unanimously elected chairman

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Lyon County was formerly a portion of Carson County, Utah Territory; hence the above reference to Carson County.

On motion Abram Lewis was elected Secretary of the meeting.

On Motion that the Recorder be desired to post notices for a public meeting for the purpose of revising the present by laws.

On motion Henry C Millington was elected by ballot two majority to act as Recorder for the ensuing Six months

JACKSON CRAIG *Prest*

ABRAM LEWIS *Secretary*"

"Pursuant to public notice the claim holders of Indian Springs District met at the Recorders Office on the 18th day of July 1863 for the purpose of revising the bye laws of the District.

The bye laws having been read. On motion that they be adopted as they are

Meeting adjourned

G. C. BISHOP *Pres'nt*

H. MILLINGTON *Secretary*"

LYON COUNTY.—PALMYRA MINING DISTRICT.

At a Miner's Meeting held in Palmyra District on Thursday Sept. 11—1862 the following Laws were adopted for the government of the District—To Wit

ART—1st The boundries of the District shall be as follows—Viz—Commencing on the high peak of Mountains on the Palmyra Wood Co's Ranch thence running Southerly on the Mountains Six (6) Miles, thence Easterly Six (6) Miles, thence Northerly Six (6) Miles, thence Westerly Six (6) miles to place of beginning Embracing Six Miles Square—

2nd The Claims shall be as follows—Viz—a Quartz Claim for Each person shall be Two hundred (200) feet in length and designated by a post and Notice at Each End Embracing all the dips angles and Spurs—a Surface Claim Two hundred (200) feet square with posts and Notices at Each Corner, and a ravine or gulch claim Two hundred (200) feet in lendth, and in width from bank to bank, with stakes and Notices at each End.—

3rd All persons locating a blind ledge shall be Entitled to fifty (50)—of ground on Each side of his notice to find the same in—

4th—No person shall be allowed to locate more than one claim on the same ledge, nor more than one surface or ravine Claim in the District Except the discoverer, who shall be entitled to one additional Claim.—

5th All persons after locating claims shall have Ten days to record the same in, and Ten Dollars worth of work to Each share shall hold them for Thirty days, or Twenty Dollars worth work to the Share will hold them for Three Months, Which if not Complied with the Claims shall be relocatable.—

6th—All Claims or ground purchased shall be subject to the same Laws as if only located—

7th There shall be a Recorder Elected to serve for the term of one year from the date of these Laws and untill a new recorder is Elected and qualified, when he shall deliver up the Books of record to his successor—said Recorder must be a resident of this District, and it shall be his duty to go on the ground, Measure the Claims, and see that they are properly staked and noticed before Recording them, for which he shall receive the fee of Fifty Cents for Each name recorded and one Dollar for recording Bills of Sales—

8th It will also be the duty of the recorder to ascertain that ground is relocatable before recording a relocation—

9th These Laws Laws shall take effect from this date—

10th The Recorder shall have the Laws of the District published—

T. W. Penny was then Elected Recorder—when the Meeting adjourned

B. ROBERTS *Prest*,

T. W. PENNY *Sec'ty*

M. WILLIAMS	J. McNISH	THOS OLIVER
JNO MOORE	D. F. ELMORE	L. FOSS
T. McDONOUGH	JAS KEENAN	N. BOWEN

Palmyra Sept 11th 1862

T. W. PENNEY *Secty*—

At a Miners Meeting held at Stubblefields Saloon in Palmyra on Nov. 24—1862 for the purpose of amending the Mining Laws of the District Jno Vandewater was Elected President & F. Tagliabue Secretary.

On Motion the Laws of the District for 1862 were then read by the Secretary.

It was Moved that each Claim of 200 feet shall be compelled to expend in labour 10$ per Month, Carried unanimously—

Some discussion then occurred as to how any disagreement should be settled—some suggested that the recorder ought to be Judge of the amount of Labour actually done, and others that he ought to appoint arbitrators—

When a Motion to adjourn was carried and the Meeting dispersed. About 50 persons were present.

F. TAGLIABUE *Secty*—"

On the 24th of May 1869—the Palmyra and the Indian Springs Mining Districts were consolidated. under the name of "Como Mining District."

LYON COUNTY.—COMO MINING DISTRICT.

"COMO DISTRICT MINING LAWS.

At a Meeting held in a stone cabin in Como on July 26 1879. for the purpose of Amending the Mining Laws of the Palmyra and Indian Spring Mining District.

The Following Officers were elected for the term of one year.
Eben Dole. President pro. tem
Adolph Anderson. Secretary pro. tem.
Walter Crowninshield, Recorder
On Motion the Laws of the District for 1862 to June 16 1866 were then read there by the Secretary.
The following Laws were adopted for the government of the District and ordered to be placed on record. to wit.

ARTICLE 1st By Motion of present Meeting, the Names of Palmyra and indian Spring Mining District.

The question put to Motion and carried in favor of the District to be called 'Como Mining. District' and embracing the same boundries as, Palmyra and indian Spring Mining District

ARTICLE 2nd By Motion and vote of present meeting Article 2nd of the old Bylaws. is declared null and void, and in its place the United States Laws, for Claims and location, Past. May 10th 1872. will govern this District.
ARTICLE 3d. Article 3d 4th 5th 6th of the old laws declared null and void
ARTICLE 4th By vote of present Meeting it was declared that the Recorder should be allowed a fee of four ($4.00) dollars for each Claim recorded on the Books
ARTICLE 5th It shall be the duty of the recorder to go on the grounds, with the locator to see that all stakes are properly put in their place, and in case said location is in conflict, with any older location, to inform the same Party's of said adverse claim. and Not to record it. untill authorized by Miners Meeting.
ARTICLE 6th It shall be the duty of the Recorder to keep the Books of Records in a safe place, and open for examination during business hours.
ARTICLE 7th By vote, Article 9th of old Bylaws was ordered retained, this law shall take effect from this date
ARTICLE 8th The Recorder shall have these laws published

E DALE *Prest*

ADOLPH ANDERSON, *Sectry*

NIMROD WINTER	JAS. L. WEBSTER	PAOLO MESSINI
HENRY FISCHER	JESUS ESTRADA	MARTIN LEON
PARKE BARNES	WM ROSE	WM ANNIS
W. CROWNINSHIELD	CHAS MAHON	

I hereby certify that the above is a true and full coppy of the laws passed at a Miners Meeting held in Como July 26th 1879

W. CROWNINSHIELD *District Recorder*"

LYON COUNTY.—PALMYRA AND INDIAN SPRINGS MINING DISTRICT.*

"MINERS MEETING *Aug*" 18*th* 1879

At a called meeting of Miners held in Como Aug 18th 1879, there were present Hon W. J. Westerfield. Park Barnes. John Scott. Wm Brown. J. H. Casehen. Minnie Leslie. John Lothrop. Walter Crowninshield. Henry Fischer Adolph Anderson Jesus Estrada Nimrod Winter J E Bray Jack Godfrey M. L. Johnson The reporter of the Sutro Independent and about 40 others
John Scott was elected President
Park Barnes was elected Secretary
The minutes of the meeting of July 26th were read. when a Motion was made and carried that the Recorder produce the Record Books of the District.
A motion was made and carried that the old name of Palmyra and Indians Springs be substituted for Como Mining District.
A motion was made and carried that the Recorder be authorized to change the Records in all claims affected by the action of changing the District name at the last meeting,
On motion it was declared that all claims heretofore recorded either by the County or District Recorder be legalized.
A motion was made and carried that the boundaries of the old Districts Palmyra and Indian Springs, be inserted in the by laws.
A motion was made and carried that the by laws be adopted as amended.
A motion was made and carried that the District Recorder produce a certified coppy of the Mining Laws signed by the President and Secretary and given to the County Recorder and that the same be published in the Sutro Independent.
A motion was made and carried that the Mining laws be entered in a new set of books.
On motion the proceedings of the Meeting of July 26" were legalized with the exception of the change in the District name.
The boundaries of Palmyra and Indian Springs District are as follows
Palmyra—commencing on the high peak of mountains on the Palmyra Wood company's Ranch, thence running Southerly on the mountains Six miles, thence easterly 6 miles, thence northerly Six miles. thence westerly Six miles to place of beginning.

Note.—May 24, 1869, the Palmyra and Indian Springs Mining Districts were consolidated.

Boundaries of the Indian Springs District

Commencing at an Indian Spring near the Mountain Cos South Stake='Mountain Ledge' and running thence easterly eight miles. thence northerly six miles. thence westerly twelve miles thence Southerly Six miles. thence easterly four miles to place of beginning.

I hereby certify that the above is a full and correct coppy of by laws passed at a Miners Meeting held in Como August 18" 1879

W. CROWNINSHIELD *District Recorder"*

ORMSBY COUNTY.—EAGLE AND WASHOE VALLEY MINING DISTRICT.

LAWS OF EAGLE AND WASHOE VALLEY MINING DISTRICT.

At an adjourned meeting of the miners of the Eagle and Washoe Valley Mining District to revise the laws of said District, held at Carson City, Saturday, November 9th, 1861, the following laws were unanimously adopted for the government and working of the mines in the District:

ARTICLE 1st. This District shall be known as the 'Eagle and Washoe Valley Mining District," and shall be bounded as follows, to-wit: Commencing at Rose's Dam on Carson River, thence running northerly along the western line of Gold Hill District to a point directly east of the ridge dividing Washoe and Quick's Valley; thence westerly to the dividing ridge of the main range of mountains; thence southerly to Cleark Creek; thence due east to a point due south of the starting point; thence due north to the place of beginning. And the said Mining District shall not be segregated, or its boundaries interfered with, except by a majority vote at a miners' meeting in the city of Carson; said meeting to be called by the Recorder, after thirty days public notice, at the request of ten or more miners of the district.

ARTICLE 2d. Each claimant shall be entitled to hold, by location, 200 feet on any lead in the District, with all its dips, angles, spurs, offshoots, outcrops, depths, widths, variations, and all the minerals and other valuables therein contained—the discoverer of, and locator on a new lead, being entitled to one claim additional for discovery.

ARTICLE 3d. All claims shall be designated by stakes and notices at each end, and shall be designated by a name, and its locality particularly described.

ARTICLE 4th Surface and hill claims shall be one hundred feet square, and be designated by stakes and notices at each corner.

ARTICLE 5th All ravine and gulch claims shall be one hundred feet in length, and in width extending from bank to bank; and be designated by a stake and notice at each end.

ARTICLE 6th. The locators of any lead, lode or ledge, in the district, shall be entitled to hold on each side of the lead, ledge or lode, located by him or them, two hundred feet. Any lateral veins, lodes or leads, bearing minerals within the space of the said two hundred feet, on each side of the main ledge, shall be considered as claimed by and entirely belonging to the locator or locators of a lead, and his or their assigns, and part and parcel of the same mine

ARTICLE 7th. It shall be the privilege of any person, persons or company, when the vein, ledge or lode of mineral is not distinctly traceable upon the surface, to take up the ground they desire to prospect, stating in their notice the manner in which they intend to prospect the same, whether by running a tunnel, cut or drifts, or shafts and the length or depth of such tunnel, cut or drifts or shafts. If the locator or locators, who claim ground for mining purposes, shall declare their intention to run a tunnel into, through or across the line of their claim, then it shall be understood that the length of the tunnel which their notice declares it to be their intention of running, shall be and is hereby intended to grant and determine the width of claim located, and no person or persons shall be allowed to locate claims coming within the distance and bounds claimed by such notice of record.

ARTICLE 8th. Any person, or persons, company or companies, who shall locate ground under these laws, shall be entitled to hold and enjoy and receive all the profit of working any and all leads, lodes or ledges of mineral deposits found on and within the limits of their location and claim, by the running of tunnel, cut, shafts or drifts on any part of the ground claimed, which shall be considered as work done upon the claim and if such work amounts to that required by these laws, the title of the ground claimed shall be deemed to rest in the locators and their assigns.

ARTICLE 9th. There shall be a Recorder elected to hold his office for the term of twelve months and it shall be his duty to call all necessary meetings of the miners of the District, to preside thereat, and to keep in a suitable book or books a full and truthful record of all public meetings; to place on Record all claims brought to him for that purpose when such claims shall not interfere with or effect the rights and interests of prior locality, recording the same in the order of their date; for which service he shall receive fifty cents for each claim recorded. He shall also at all times keep his books open for the inspection of the public. He shall have the power to appoint a Deputy to act in his stead, for whose official acts he shall be held responsible.

ARTICLE 10th. All examination of the Record must be made in the full presence of the Recorder or his Deputy, and in no instance shall any person or persons making examination of Records, be permitted to use pen and ink; the Recorder shall furnish to such person or persons a lead pencil, with which memoranda may be made.

ARTICLE 11th. Every claim, whether by individual or company located, shall be recorded within ten days after date of location.

ARTICLE 12th. Notice of a claim or location of mining ground by any individual or by a company, on file in the Recorder's office, shall be equivalent to a record of the same.

ARTICLE 13th. Three days' labor shall be done on each claim or on the company's ground for each claim, in order to hold the same. The work so required must be commenced within thirty days after date of record, and fully performed within ninety days after commencement.

ARTICLE 14th. Whenever work shall have been done within six months from location thereof upon the claims of a company, deemed to be of the value of fifty dollars or upward, to each and every claim, the claims on which such sums shall have been expended, cannot and shall not be subject to a forfeiture and re-location for the term of one year from the date of the last work done.

ARTICLE 15th. Whenever one hundred dollars shall have been expended on each and every claim of a company in this District, the ground so claimed by the company, shall be deemed as belonging in fee to the locators thereof and their assigns and the same shall not be subject to location or re-location by other parties ever after, except by an acknowledged abandonment by the company of the ground.

ARTICLE 16th. All claims not worked according to the rules and regulations of the District, shall be subject to forfeiture and re-location.

ARTICLE 17th. All laws and parts of laws heretofore made in conflict with the spirit and meaning of these laws are hereby repealed.

PARKER H. PIERCE, *Recorder"*

REVISED LAWS OF EAGLE AND WASHOE VALLEY MINING DISTRICT.

CARSON CITY, *Nov.* 1, 1875.

Pursuant to a call published in the Carson Daily APPEAL for thirty days, by A. Waitz, Mining Recorder, of which the following is a true copy, viz:

OFFICE OF THE MINING RECORDER OF EAGLE AND WASHOE VALLEY MINING DISTRICT,
Carson City, Nev., Sept. 27, 1875.

Notice is hereby given that in accordance with Article First of the laws of Eagle and Washoe Valley Mining District, adopted November 9th, 1861, and upon the request of more than ten miners of said district I hereby call a meeting of the miners of the district to be held at my office in Carson City, Nevada, Monday, the First day of November, 1875, at 1 o'clock p. m., for the purpose of considering the repeal of the aforesaid mining laws and adopting the United States Mining Laws, entitled: "An Act to promote the development of the mining resources of the United States," approved May 10, 1872, and the election of a Mining Recorder and all other matters connected with the district.

A. WAITZ,
Recorder Eagle and Washoe Valley Mining District.

A meeting of the miners of Eagle and Washoe Valley Mining District to revise the laws of said District, was held at the office of said Mining Recorder in Carson City, Nevada, on Monday, November 1st, 1875, at 1 o'clock p. m., and called to order by the Recorder, A. Waitz, who stated the object of the meeting to be to revise and amend the District Mining Laws, so as to accord with the Mining Act of Congress, of May 10, 1872, in relation to the location of mining claims.

J. I. Ayres, on motion, was then elected Chairman and A. Waitz Secretary of the meeting. Messrs. T. D. Edwards, Wirt Hopkins and A. Waitz were appointed to draft a code of laws to govern said district hereafter, who reported the following, which were unanimously adopted:

ARTICLE 1. This District shall be known as the "Eagle and Washoe Valley Mining District," and shall be bounded as follows, to-wit: Commencing at Rose's Dam on Carson River, thence running northerly along the western line of Gold Hill District to a point directly east of the ridge dividing Washoe and Quick's Valley; thence westerly to the dividing ridge of the main range of mountains; thence southerly to Clear Creek; thence due east to a point due south of the starting point; thence due north to the place of beginning. And the said Mining District shall not be segregated, or its boundaries interfered with, except by a majority vote at a miners' meeting in the city of Carson; said meeting to be called by the County Recorder, after thirty days public notice, at the request of ten or more miners of the District.

ARTICLE 2. Any person who is a citizen of the United States or has declared his intention to become a citizen shall be entitled to hold by location a mining claim of *fifteen hundred* (1500) linear feet along the course of any mineral vein or lode subject to location in this district, with all its dips, angles, spurs, offshoots, outcrops, depths, widths, variations and all the minerals and other valuables contained therein, or an association of persons, severally qualified as above may make joint location of such claim of *fifteen hundred* feet, but in no event can a location of a vein or lode made subsequent to this date exceed *fifteen hundred* feet along the course thereof, whatever may be the number of persons composing the association.

ARTICLE 3. The claimant shall, prior to recording his claim, unless the vein can be traced upon the surface, sink a shaft or run a tunnel or drift to a sufficient depth therein to discover and develop a mineral-bearing vein, lode or crevice; shall determine if possible the general course of such vein in either direction from the point of discovery, by which direction he will be governed in making the boundaries of this claim on the surface, and shall give the course and distance as nearly as practicable, from the discovery shaft on the claim, to some permanent, well-known points, or objects, such, for instance, as stone monuments, blazed trees, the confluence of streams, point of intersection of well-known gulches, ravines, or roads, prominent buttes, hills, etc., which may be in the immediate vicinity, and which will serve to perpetuate and fix the *locus* of the claim and render it susceptible of identification from the description thereof given in the record of locations in the District. In addition to the foregoing data the claimant shall state the names of adjoining claims, or if none adjoin, the relative positions of the nearest claims; shall drive a post or erect a monument of stones at each corner of his surface ground, and at the point of discovery or discovery shaft, shall fix a post, stake or board, upon which should be designated the name of the lode, the name or names of the locators, the number of feet claimed and in which direction from the point of discovery; it being essential that the location notice filed for record, in addition to the foregoing description should state whether the entire claim of *fifteen hundred* feet is taken on one side of the point of discovery, or whether it is partly on one and partly on the other side thereof; and in the latter case how many feet are claimed upon each side of said discovery point.

ARTICLE 4. No location of a placer-claim hereafter made shall exceed one hundred and sixty acres for an association of persons consisting of no less a number than eight *bona fide* locators, and all placer-mining claims hereafter located shall conform as near as practicable with the United States system of public-land surveys, and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant. All placer or surface claims shall be worked within ten days after there is sufficient water to successfully work the same.

ARTICLE 5. All ravine and gulch claims shall be one hundred feet in length, and in width extending from bank to bank; and be designated by a stake and notice at each end.

ARTICLE 6. The locators of any lead, lode or ledge, in the District, shall be entitled to hold on each side of the middle of the lead, ledge or load, located by him or them, three hundred feet.

ARTICLE 7. It shall be the privilege of any person, persons or company, when the vein, ledge or lode of mineral is not distinctly traceable upon the surface, to take up the ground they desire to prospect, stating in their notice the manner in which they intend to prospect the same, whether by running a tunnel, cut or drifts, or shafts and the length or depth of such tunnel, cut, shafts or drifts. If the locator or locators, who claim ground for mining purposes, shall declare their intention to run a tunnel into, through or across the the line of their claim, then it shall be understood that the length of the tunnel which their notice declares it to be their intention of running, shall be and is hereby intended to grant and determine the width of claim located, and no person or persons shall be allowed to locate claims coming within the distance and bounds claimed by such notice of record.

ARTICLE 8. Any person or persons, company or companies, who shall locate ground under these laws, shall be entitled to hold and enjoy, and receive all the profit of working any and all leads, lodes or ledges of mineral deposits found on and within the limits of their location and claim, not previously known to exist or legally claimed, by the running of tunnel, cut, shafts or drifts on any part of

the ground claimed, which shall be considered as work done upon the claim, and if such work amounts to that required by these laws, the title of the ground claimed shall be deemed to rest in the locators and their assigns.

ARTICLE 9. The distinct office of Mining Recorder in this district is abolished from and after this date and in lieu thereof the County Recorder of Ormsby County shall hereafter be *ex-officio* the Mining Recorder of this district and it shall be his duty to call all necessary meetings of the miners of the District, to preside thereat, and to keep in a suitable book or books a true and faithful record of all public meetings; to place on record all claims brought to him for that purpose, when such claims shall not interfere with or affect the rights and interests of prior locality, recording the same in the order of that date, returning to the locator a certificate of record, of said claim, giving the book and page of said record, for which services he shall receive *Three dollars for each notice recorded.* He shall also at all times keep his books open for the inspection of the public. He shall have the power to appoint a Deputy to act in his stead, for whose official acts he shall be held responsible.

ARTICLE 10. All examination of the Records must be made in the full presence of the Recorder or his Deputy, and in no instance shall any person or persons making examination of Records, be permitted to use pen and ink; the Recorder shall furnish to such person or persons examing the Records a lead pencil, with which memoranda may be made.

ARTICLE 11. Every claim, whether by individual or company located, shall be recorded within *twenty* days after date of location.

ARTICLE 12. Notice of a claim or location of mining ground by any individual or by company, on file in the County Recorders office shall be equivalent to a record of the same.

ARTICLE 13. Three days labor shall be done on each claim or on the company's ground for each claim of Fifteen hundred feet, in order to hold the same. The work so required must be commenced within thirty days after date of location and fully performed within ninety days after commencement. And provided further: that in order to hold the possessory right to a claim of fifteen hundred feet of a vein or lode located as aforesaid, not less than one hundred dollars worth of work shall be performed or improvements made thereon during each year, in default of which the claim will be subject to re-location by any other party having the necessary qualifications, unless the original locator, his heirs assigns or legal representatives have resumed work thereon after such failure and before such re-location.

ARTICLE 14. All claims not worked according to the rules and regulations of the District shall be subject to forfeiture and re-location.

ARTICLE 15. All laws and parts of laws heretofore made in conflict with the spirit and meaning of these laws are hereby repealed.

J. I. AYRES, *Chairman.*

Attest:

A. WAITZ, *Secretary.*

LANDER COUNTY.—REESE RIVER MINING DISTRICT.

BY-LAWS OF THE REESE RIVER MINING DISTRICT, NEVADA TERR. MADE AND ADOPTED THIS 10TH DAY OF MAY 1862.

SECTION 1st Boundaries of the Reese River Mining District as follows, to wit commencing at the west at Edwards Creek, extending to Dry Creek on the East and embracing a distance of ten miles on each side of the Telegraph Line.

SECTION 2nd That all mining claims shall consist of Two Hundred Feet, the discoverer to be entitled to an extra two hundred feet

SECTION 3 Each claim when located shall have a written notice placed on such claim and within ten days after such claim shall be located said claim shall be recorded by recorder of said district.

SECTION 4th That the said recorder shall be entitled to the sum of two dollars for each claim recorded.

SECTION 5th That all claims shall be represented by two days labor being performed on said claim every month from time of location.

SECTION 6th All persons owning claims and neglecting their claim for two months, shall be considered an abandonment of said claims.

SECTION 7th Any person wishing to substitute a person to attend for them, they shall have the power or right so to do.

SECTION 8th That any person owning claims in said District and wishing to represent the same for two months, they may do so by performing five days labor on the same.

SECTION 9th That water power can be taken up by posting notice on same, specifying for what purpose such water shall be claimed for and by performing two days labor monthly on same to entitle claimants to hold the same.

SECTION 10th That a recorder shall be elected for one year from the time of his election.

At a meeting held by the miners of the Reese River Mining District, at the Reese River station on Saturday May 10th 1862. The above laws were made and adopted

FELIX O'NEIL *President*

AUGUSTUS CLAPP *Secretary*

A meeting of the miners and inhabitants of Reese River Mining District was held at Jacobs Ranch on Thursday July 17th 1862.

Mr G. W. Jacobs called the meeting to order and nominated Mr A. J. Hewitt for president or chairman and Mr J. B. Marshall for secretary—carried.

Mr G. W. Jacobs moved that the chair appoint a committee of three, to draft a set of laws and regulations for the government of the Reese River Mining District and to report the same to the meeting for its consideration Adopted.

The chair appointed Mr J. R. Jacobs, Mr J. B. Marshall and Mr Wm Talcott as the committee, who retired and through their chairman Mr J. B. Marshall reported.

Mr Wilson moved that the Preamble, Laws and Regulations, reported from the Committee be adopted. Carried unanimously.

Mr J. Towne nominated Mr Wm Talcott for Recorder for one year. Carried unanimously

Adjourned.

A. J. HEWITT *chairman*

J. B. MARSHALL *Secretary.*

PREAMBLE.

Whereas. It has been the practise, custom and priviledge of miners and those interested in mines, to form Mining Districts, specifying the boundaries of the same, and making laws, rules and regulations for the location, holding and working of mines, and.

Whereas, The miners and others interested in mining in this (Reese River) District, did assemble, in said District, on the 10th day of May 1862, and passed a few laws by which the District should be governed, and,

Whereas. It has been generally conceded that the rules and regulations heretofore existing, are defective in form, and insufficient to secure, in a proper manner, the important interests which may grow up through a thorough development of the mines of this District, and

Whereas. In the absence of laws made by the General Government properly applicable and suitable to encourage and protect the rights and interest of those who search for, discover, locate, hold and work mines, it becomes necessary on the part of miners and those interested in mining,

1st To originate and agree upon such rules and regulations as they desire for their government.

2nd To encourage a full and fair prospecting of the mining grounds in this District

3rd To encourage their due and proper exploration and developement, after discovery and location.

4th To obviate disputes and conflict of title between claimants of mining ground and prevent any and all interference therewith

5th To do all things which tend to the security, stability, development, and thorough working and active advancement of the mining interests of this District.

6th To make it safe for capitalists and enterprising men to invest money in mining grounds and mining stocks, in the erection of machinery and in giving extensive employment to labor.

Now therefore be it

Resolved; that the mining rules heretofore existing in this District, be and the same are repealed.

Resolved. That the Rules Regulations and Mining Laws hereto attached and following, be and they are adopted as the Rules, Regulations and mining Laws of this District, and that they are henceforth or until their repeal or alteration, to be relied upon as governing locators and workers of mines and all other persons within the limits of this District.

MINING LAWS OF THE REESE RIVER MINING DISTRICT

SECT 1. The District shall be known as the Reese River Mining District and shall be bounded as follows, On the North by a distance of ten miles from the Overland Telegraph Line, on the East by Dry Creek, on the South by a distance ten miles from the Overland Telegraph Line and on the West by Edwards Creek.

SECT 2nd The Officers of this District shall consist of a President, Secretary and Recorder, elected by those taking part in these proceedings and shall hold their respective offices for the term of one year from the date of the Election

SECT 3rd It shall be the duty of the President to call all necessary meetings of the miners of this District to preside thereat, and to discharge the duties pertaining to said office.

SECT 4th In the absence of the President from the District, or his inability to act, it shall be the duty of the Recorder to act in his stead.

SECT 5th It shall be the duty of the Recorder to keep in a suitable book or books, a full and truthful record of the proceedings of all public meetings, to place on record all claims brought to him for that purpose, when such claim shall not interfere with, or affect the rights and interests of prior locators, recording the same in the order of their date, for which service he shall receive fifty cents for each claim recorded and fifty cents per folio for recording the transfer. bill of sale, or deed of, and to any mining property. It shall also be the duty of the Recorder to keep his books open at all times to the inspection of the public, he shall also have the power to appoint a deputy to act in his stead, for whose official acts, he shall be held responsible.

SECT. 6th All examinations of the record must be made in the full presence of the Recorder or his deputy.

SECT 7th Notice of a claim or location of a mining ground by any individual or by a company, on file in the Recorders office shall be deemed equivalent to a record of the same.

SECT 8th Each claimant shall be entitled to hold by location 200 feet on any lead in the District, with all its dips spurs and angles, offshoots, outcrops, depths widths, variations, and all the minerals and other valuables therein contained, the discoverer of, and locator of a new lead being entitled to one claim extra for discovery.

SECT 9th The locators of any lead ledge or lode in the District shall be entitled to hold, on each side of the lead, ledge or lode located by him or them, two hundred feet, any lateral veins, lodes or leads, bearing minerals, within the space of the said two hundred feet on each side of the main ledge shall be considered as claimed by and entirely belonging to the locator and locators of a lead and his or their assigns, and part or parcel of the same mine

SECT 10th It shall be the priviledge of any person, persons, or company, when the vein ledge or lode of mineral is not distinctly traceable upon the surface, to take up the ground they desire to prospect, stating in their notice the manner in which they intend to prospect the same, whether by running a tunnel, cuts and drifts or shafts, and the length or depth of such tunnel cut or shafts and drifts. If the locator or locators who claim ground for mining purposes shall declare their intention to run a tunnel, into, through or across the line of their claim, then it shall be understood that the length of the tunnel which their notice declares it to be their intention of running shall be and is hereby intended to grant, and determine the width of claim located; and no person or persons shall be allowed to locate claims coming within the distance and bounds claimed by such notice of record.

SECT 11th Any person or persons, company or companies, who shall locate ground under these laws, shall be entitled to hold and enjoy, and receive all the profit of working any and all leads lodes or ledges of mineral deposits, found on and within the limits of their location and claim, by the running of tunnel cut or shafts and drifts, on any part of the ground claimed, which shall be considered as work done upon the claims and if such work amounts to that required by these laws, the title of the ground claimed shall be deemed to vest in the locators and their assigns

SECT 12th Every claim (whether by individual or by company) located, shall be recorded within ten days after the date of location

SECT 13th That all claims heretofore or shall be hereafter recorded in this District shall hold good until the 1st day of June 1863, without further labor being expended on said claims, and if work be not commenced on said claims on the 4th day of June 1863, they shall be considered as abandoned and subject to relocation.

SECT 14th Whenever one thousand dollars shall have been expended on claims of a company, the ground so claimed by the company shall be deemed as belonging in fee to the locators thereof and their assigns and the same shall not be subject to location or relocation by other parties ever after, except by an acknowledged abandonment, by the company, of the ground

SECT 15. The Recorder shall go upon the ground with any and all parties desiring to locate claims, and shall be entitled to receive for such service, say for a company location of ten or more names, five dollars and for each location numbering less than ten names fifty cents each.

SECT 16th Location of claims to mining ground may be made within this District between the dates of May 1862 and the 1st day of June 1863, and any such claims so located and recorded shall not be subject to forfeit or deemed forfeited, and subject to relocation, for not working within these dates.

SECT 17th These laws contemplate and provide for the location of two classes of claims, one to be denominated "Cropping's" claims, being ledges or lodes visible, and the other to be called "Tunnel" claims indicating that the ledge or lode claimed is not distinctly traceable on the surface.

SECT 18th An election of officers shall be held at a place within the District, to be designated by public notice of the President, in one year from the date of the adoption of these rules and laws. A vacancy can be filled by an election on the call of the President at any time by giving ten days notice, all officers to hold office until their successors are duly qualified. No person shall be allowed to vote, after the adoption of these laws, and the election of officers at any subsequent election, except such voter be an actual owner of a claim or claims in this District.

SECT 19th These Rules or Mining Laws may be altered or amended by a two third vote of those owning claims in this District at any time after twenty days notice of such intention shall have been given in the "Territorial" Enterprise and Sacramento Union" and shall have been posted in three public places in the District.

G. W. JACOBS *President*

J. B. MARSHALL. *Secretary.*

REVISED MINING LAWS OF REESE RIVER.

CLIFTON. *April 20th* 1863

At a miners meeting held in front of M. Borowsky's saloon in Clifton, in accordance with a notice published in the Territorial Enterprise and Sacramento Union, for the purpose of revising the laws of the District.

Charles Tureman was elected chairman and F. Tagliabue Secretary.

George May was called upon, who stated the purpose of the meeting and on motion a committee of seven was appointed to revise the laws of the District, viz. Col. Williams M. Borowsky. Thos. Waterman G. W. Thomas John Hildreth and Wm Harrington.*

The meeting then adjourned for one hour, at the expiration of which time it was again called to order and the report read by Thos. Waterman.

On motion the report of the Committee was received and the Committee discharged.

It was moved and carried that the report of the committee be read by sections for the action of the meeting.

After a great deal of squabbling and considerable excitement and some wit had been expended, the laws, as subjoined were passed, to take effect on the 4th day of June 1863.

An election for Recorder was agreed upon to take place on the 1st day of June, the present one to hold until the 17th day of June in accordance with the previous mining laws of the District.

On motion a copy of the proceedings was requested to be transmitted to the Territorial Enterprise for publication. Carried Unanimously

On motion the meeting adjourned

CHAS TUREMAN. *President.*

F. TAGLIABUE *Secretary.*

MINING LAWS OF THE REESE RIVER MINING DISTRICT TO TAKE EFFECT JUNE 4TH 1863.

SECTION 1. The District shall be known as the Reese River Mining District and shall be bounded as follows; to wit; On the north by a distance of ten miles from the Overland Telegraph Line, on the East by Dry Creek, on the South by a distance of ten miles from the Overland Telegraph Line and on the West by Edwards Creek, where not conflicting with any new district formed to date.

SECTION 2. There shall be a mining Recorder elected on the first day of June next for this District, who shall hold office for one year from the 17th of July next, unless sooner removed by a new election, which can only be done by a written call, signed by at least fifty claim holders, giving notice of a new election to be held after said notice shall have been posted and published for at least twenty days in some newspaper published in or nearest this District, and the Recorder shall be a resident of the District.

SECTION 3. It shall be the duty of the Recorder to keep in a suitable book or books, a full and truthful record of the proceedings of all public meetings, to place on record all claims brought to him for that purpose, when such claim shall not interfere with or affect the rights and interests of prior locators recording the same in the order of their date, for which service he shall receive fifty cents for each claim recorded.

It shall also be the duty of the Recorder to keep his books open at all times, to the inspection of the public; he shall also have the power to appoint a deputy to act in his stead, for whose official acts he shall be held responsible, It shall also be the duty of the Recorder to deliver to his successor in office, all books records, papers etc. belonging to or appertaining to his office.

SECTION 4. All examination of the records must be made in the full presence of the Recorder or his deputy.

SECTION 5. Notice of a claim of, or location of mining ground by any individual or by a company, on file in the Recorders office, shall be deemed equivalent to a record of the same.

SECTION 6th Each claimant shall be entitled to hold by location Two hundred feet on any lead in the District with all the dips, spurs, angles, offshoots, outcrops widths, variations, and all mineral and other valuables therein contained, the discoverer and locator of a new lead being entitled to one claim extra for discovery.

SECTION 7th The locator of any lead, ledge or lode in the District shall be entitled to hold on each side of the lead lode or ledge located by him or them, one hundred feet, but this shall not be construed to mean any distinct or parallel ledge within the two hundred feet other than the one originally located,

SECTION 8th All locations shall be made by a written notice posted upon the ground, and boundaries defined and all claimants names posted on the notice

SECTION 9th Work done, on any tunnel cut or shaft or drift, in good faith, shall be considered as being done upon the claim owned by such person or company.

SECTION 10th Every claim (whether by individual or company) located shall be recorded within 10 days after the date of location.

* The name of the 7th person is omitted in the record book

SECTION 11th There shall be done for each and every claim of two hundred feet held by any person or persons or company, one days work for each and every month, which shall hold said claims for thirty days thereafter; but nothing in this section shall be so construed as to prevent said person, persons, or company from doing the requisite amount of work at any one time to hold their claims for three months.

SECTION 12th Whenever one thousand dollars shall have been expended on the claims of a company in this district, the ground so claimed by the company shall be deemed as belonging in fee to the locators thereof and their assigns, and the same shall not be subject to location or relocation by other parties forever after, except by an acknowledged abandonment by the company of the ground, which shall be construed to mean, an entire abandonment after laying idle for one year, except in cases where claims are in litigation

SECTION 13th The Recorder shall go upon the ground with any and all parties desiring to locate claims and shall be entitled to receive for such service, say for a company location of six or more names, three dollars and for each location numbering less than six names, fifty cents each, and it shall be his further duty to measure any claim or claims and make or cause to be made, good and sufficient land-marks defining said claim or claims, and he is prohibited from making any location for any person, persons or company without complying with this section and seeing their boundaries fully defined

SECTION 14th These Rules or Mining Laws may be altered or amended by a two thirds vote of those present at any meeting in the District, at any time after twenty days notice of such intention shall have been given in the manner prescribed above for calling a new election for recorder.

SECTION 15th These Laws shall take effect on and after the fourth day of June A. D 1863.

CHAS. TUREMAN, *President.*

F. TAGLIABUE *Secretary.*

CLIFTON *April 20th* 1863.

AMENDMENTS AND ALTERATIONS TO MINING LAWS OF REESE RIVER DISTRICT MADE JUNE 4TH 1864.

SECTION 3th The fee of recorder to be $1.00

SECTION 11th All miners locating a mining claim in this district shall place and maintain thereon a good and substantial monument with a notice thereon of the name of the claim, with the names of the locators, date of location, record and extent of claim, It is hereby, requested that owners in claims already located do comply with the requirements of this section.

SECTION 12th The Recorder shall go upon the ground with any and all parties desiring to locate claims and shall be entitled to receive for such service, one dollar for each and every name in a location of two hundred feet each

SECTION 13th It is hereby made the duty of the mining Recorder upon the written application of 25 miners, to call a meeting of the miners of the district by giving a notice of twenty days through some newspaper published in the Reese River District, which shall state the object of the meeting, place and time of holding the same.

SECTION 14th Moved that the laws of this district passed July 17th 1862 are hereby repealed.

SECTION 15th These laws shall take effect on and after the 4th day of June 1864

COL. WILLIAMS *President*

J. H. SCHERMIER *Secretary.*

AUSTIN *June 4th* 1864.

Pursuant to notice a large number of miners assembled in front of Jack Holmes' St Charles Saloon.

The meeting was called to order by E. P. Jones, the Recorder who moved that H. J. Bidleman preside and J. H. Schermier act as Secretary.

The meeting took a recess of twenty minutes for the purpose of getting the miners together.

The meeting was again called to order.

A motion was made to strike out Section 11 of the new law and reinstate same section of the old law which is a follows :

SECTION 11. There shall be done for each and every claim of two hundred feet held by any person, persons or company, one days work for each and every month which shall hold said claims for thirty days; but nothing in this section shall be construed so as to prevent said person or persons or company from doing the requisite amount of work at any one time to hold their claims for three months

This was debated at length by Judge Rankin in favor of the new law and Messrs Keown, Kallmes McHardy and Churchman against it, and on the question of the adoption of the motion, it was carried in the affirmative:

The following amendment to Section 12 was also adopted.

It shall be the duty of the Recorder to place on his books as near as possible the locality of each claim, located by him.

After which the meeting adjourned.

MINERS MEETING.

Pursuant to call a meeting of the miners of the district was held last evening at the Magnolia saloon.

The meeting was called to order by John H. Dennis District Recorder, who in the absence of Mr Hobart acted as President of the meeting, and Richard Brown was appointed Secretary.

The President stated the object of the meeting, after which the following amendments to the District Mining Laws were submitted and unanimously adopted.

No mining claim hereafter recorded, until the second Saturday in July 1866, shall be subject to relocation for the period of one year, from the date of record, provided that a stake, post, or other substantial monument, at least two feet high, with the name of the company and ledge and date of record inscribed thereon, shall be firmly fixed to the point of location.

All mining claims heretofore recorded and not subject to relocation, may be exempt from relocation for a period of one year from the present date by complying with the provisions of this section and filing with the District Recorder a notice that the locators of said claim intend to hold the same under the provisions of this section, and in case where the location of such claim is not defined upon the records by filing a description thereof so the claim may be readily found at any time before the claim would become relocatable under the laws existing at the time such claim was recorded.

All laws in conflict with the above two sections are hereby repealed.

The following resolutions were then introduced and unanimously adopted.

Whereas; since the discovery of gold in California it has been the policy of the General Government and of the different state and Territorial legislatures upon the Pacific slope (except the last legislature of this State) not to interfere with the laws and regulations of the miners in the different districts, but to permit them to enact such laws as to them seemed proper and just in regard to the government of the mines, such laws having always when tested been sanctioned and approved by the highest judicial tribunals and,

Whereas; under this liberal policy the development of mineral wealth upon the Pacific slope has been unparalleled in the history of the world, and possessing the utmost confidence in the intelligence in the mining population of this state, and their capacity for creditably continuing the time honored custom of enacting their own laws for the government of the mines free from legislative interference and,

Whereas; believing as we do that no general mining laws could be enacted that would meet the requirements of the different districts, as the varied character size and location of the ledges in the different districts require different laws and believing that the action of the last legislature of this state, will have a tendency to bring about what we are so anxious to avoid viz; Congressional interference by still more general legislation; and,

Whereas; many of the provisions of the state mining law are utterly impracticable in the Reese River Mining District besides placing upon us additional burthens in increased expenses and trouble in locating and recording our claims, therefore

Resolved, That the state mining law is utterly impracticable in many of its provisions, obnoxious and burthensome to the mining population generally, and especially so to the miners of Reese River District, where the peculiar formation and close proximity of the ledges render many of its provisions totally impracticable

Resolved. That the last legislature of this state, in taking from us the right so long considered sacred, viz: that of enacting our own laws for the government of our mines, was guilty of a gross usurpation, or at least, abuse of power, unparalleled in the legislative, executive, or judicial history of the Pacific Slope

Resolved. That we are in favor of the unconditional repeal of said law, and will vote for no person for either branch of the Legislature not pledged to vote and work for its repeal.

The meeting then adjourned with three cheers for the five members of the legislature that voted against the State Mining Laws.

JOHN H DENNIS. *President.*

RICHARD BROWN *Secretary.*

AUSTIN *March 30th* 1866.

MINING LAWS OF REESE RIVER MINING DISTRICT. ADOPTED DECEMBER 28, 1874.

J. H. Craycroft, the duly elected and qualified Mining Recorder, upon the written application of twenty-five miners of said district to call a meeting of the miners of said district, gave notice of twenty days through the REESE RIVER REVEILLE, a newspaper published in said district, of which notice the following is a true copy, to wit:

NOTICE:

A meeting of the miners of Reese River District will be held at the Court-house on the 28th day of December, 1874, at 7 o'clock, in the evening, for the purpose of revising the mining laws of the district, to make them conform to the mining laws of the United States.

J. H. CRAYCROFT, *Recorder.*

AUSTIN, *Nov.* 27, 1874.

Now, in pursuance of said notice, and at the time and place therein stated, a meeting of the miners of said district was convened and held and, by an unanimous vote of all the miners present, made, passed and enacted, the following as the laws of said Reese River Mining District:

SECTION 1. This District shall be known as the Reese River Mining District, and shall be bounded as follows, to wit: On the north by a distance of ten miles from the old Overland Road in said county, on the east by Dry Creek, on the south by a distance of ten miles from the said old Overland Road, and on the west by Edward's Creek.

SEC. 2. There shall be a Mining Recorder elected on the first day of June next, for this District, who shall hold his office for two years from the first day of July next and until his successor is duly elected and qualified. It shall be his duty to keep in proper books a full record of the proceedings of all public miners' meetings, to record all notices of claims required of him, in the order of their date. He shall keep his books open at all times for inspection. He shall have power to appoint a Deputy to act in his stead for whose official acts he shall be responsible and he shall deliver to his successor in office all books, records and papers belonging to or pertaining to his office. All examinations of the records must be made in the presence of the Recorder or his Deputy. The Mining Recorder of this district shall keep his office and all the records, books and papers belonging to or pertaining to his office in the County Recorder's Office of said County of Lander.

SEC. 3. A mining claim, lode or ledge may be located by one or more persons, which claim may equal but shall not exceed fifteen hundred feet in length along the vein or lode; but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located.

SEC. 4. The locator or locators of a claim shall have and hold three hundred feet on each side of the middle of the vein at the surface. The end lines of each claim shall be parallel to each other.

SEC. 5. The locators of all mining locations, heretofore made, or which shall hereafter be made, on any mineral vein, lode or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists, on the passage of these laws and regulations, so long as they comply with the laws of the United States, and the State of Nevada, and these laws and regulations, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes and ledges throughout their entire depth, the top or apex of which lies inside of such surface lines extended downward vertically, although such veins, lodes or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side-lines of said surface locations: Provided, that their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward, as aforesaid, through the end lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of said veins or ledges; and provided, further, that nothing in

this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another.

SEC. 6. Where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and the locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

SEC. 7. On each claim located after the passage of the Act of Congress of the United States, entitled "An Act to promote the development of the mining resources of the United States," approved May 10th, 1872, and until a patent shall have been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year. On all claims located prior to the passage of said act, ten dollars' worth of labor shall be performed or improvements made each year for each one hundred feet in length along the vein until a patent shall have been issued therefor; but where such claims are held in common such expenditure may be made upon any one claim; and upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location had ever been made; provided, that the original locators, their heirs and assigns, or legal representatives, have not resumed work upon the claim after such failure and before such location, and provided further, that such labor may be performed or improvements made on any tunnel, cut, shaft or drift, for the purpose, in good faith, to develop such vein or claim, and such labor and improvements shall be considered as being done on the vein or claim itself. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required as aforesaid, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication such delinquent should fail or refuse to contribute his proportion to comply with these laws and regulations, his interest in the claim shall become the property of his co-owners who have made the required expenditures.

SEC. 8. All locations of mining claims, lodes or ledges, must be made as follows, to wit: "The location must be distinctly marked on the ground, so that its boundaries can be readily traced, and a notice in writing or printing shall be posted on the location, which said notice shall contain the name or names of the locators, the date of the location, and such description of the claim or claims located, by reference to some natural object or permanent monument as will identify the claim.

SEC. 9. The location of a mining tunnel must be made as follows, to wit: The location must be marked by erecting a substantial post, board or monument, at the face or point of the commencement of the tunnel, upon which must be posted a notice giving the names of the parties or company claiming the tunnel right, the actual or proposed course or direction of the tunnel, the height and width thereof, and the course and distance from such face or point of commencement to some permanent, well-known object in the vicinity, by which to fix and determine the location in manner hereinbefore set forth, applicable to locations of veins or lodes; and at the time of posting such notice the boundary lines of the tunnel must be established by stakes or monuments placed along the lines of the tunnel claim at proper intervals to the terminus of the three thousand feet from the face of the tunnel. At the time of posting the notice and marking out the lines of the tunnel claim, a full and correct copy of such notice of location, defining the tunnel claim, must be filed for record with the Mining Recorder of this District, to which notice must be attached the sworn statement of the owners, setting forth the facts in the case, stating the amount expended by themselves and their predecessors in interest in prosecuting work thereon, the extent of the work performed, and that it is their bona fide intention to prosecute work on the tunnel so located with reasonable diligence for the development of veins or lodes, or for the discovery of mines, or both. This notice of location must be duly recorded by said Recorder, and with the said sworn statement attached kept on the Recorder's files for future reference.

SEC. 10. Every claim of veins, lodes, mining claims or tunnel rights, must be recorded within fifteen days after the date of location.

SEC. 11. The Recorder shall go on the ground with any person desiring to locate claims, and shall record the notice of location thereof as hereinbefore stated, upon the payment to him of one dollar for each two hundred feet in a location of claims on veins or lodes, and ten dollars for each tunnel location.

SEC. 12. The Mining Recorder upon the written application of twenty-five miners of the District, shall call a meeting of the miners of this District by giving notice of twenty days in a newspaper published in said District, which notice shall state the object of such meeting, the place and the time of holding the same.

SEC. 13. All laws, regulations and customs adopted, enacted, or in force in this district before the adoption and enactment of the laws and regulations at this miners' meeting, are hereby repealed and annulled.

We, the undersigned, hereby certify that the foregoing mining laws and regulations were duly adopted at a meeting of the miners of Reese River Mining District, Lander County, State of Nevada, held in the City of Austin on Monday, December 28, 1874.

JOHN FROST, *Chairman.*

FRED H. HART, *Secretary.*

HUMBOLDT COUNTY.—SIERRA MINING DISTRICT.

DISTRICT LAWS.—MEETINGS ETC.

A meeting of miners and claim holders held this 2nd day of January A. D. 1863 at Ragan & Dunhouse Humboldt Co. Nevada Ter. for the purpose of organizing a mining disct. and to enact laws to govern the same, the following persons being present, viz:—S Green, B. Smith, W A Chamberlain, A Lambert, S B Cutter, Jas. Narfield, A B. Cutter, S. N. Nelson, C C. Strabaugh, Chas. Swan & Frank Dorman.

On motion Mr. S Green was elected Chairman & W. A. Chamberlain appointed Secty.

ART. 1. This disct. shall be known as and styled Sierra Disct.

ART. 2. The boundaries of this disct, are as follows, commencing at the N. W. corner of Columbia Dst. thence running S. E. on to line of said Columbia Dst. thence down to center of Grass Valley in a Northern direction to the Humboldt river, thence down the Humboldt river to the center of the Valley lying between Humboldt river and the East range of Mts. Thence in a southerly direction to the place of beginning.

BY-LAWS.

SEC. 1. A recorder shall be elected after this meeting by ballot on the first Monday in each January by a majority of male resident claim holders over the age of 18 years being in the disct 30 days before the election.

SEC. 2. A meeting of the miners of the disct. shall be held at some suitable place in this disct. on the evening of the Saturday preceding the first Monday in each January at which an inspector and two judges shall be chosen for conducting the election on the following Monday. The inspector and judges shall choose two suitable persons to act as clerks of said election and also select a place for holding the same. The judges and clerks for holding the same shall give a certificate to the persons who shall receive the largest number of votes for the office of Recorder, which certificate shall be entered on the minutes of the disct.

SEC. 3. The recorder hereafter chosen shall receive the books of the retiring recorder and enter upon the duties of his office on the second monday succeeding his election, and shall hold his office until the third monday in each January of the following year or until his successor is elected and entered upon the duties of his office.

SEC. 4. It shall be the duty of the recorder to furnish at his own cost, suitable books, including index to keep the record in good order, make all the entries in a plain and legible manner, to keep a copy of all the laws of the disct and the proceedings of all miners meetings in a book kept for that purpose, and to copy verbatim all instruments in writing pertaining to mining claims, also when called upon to go upon the ground and measure all claims taken up, setting stakes or monuments of stones at least 18 inches in height at the boundaries thereof and to place upon each stake or monument a written statement, signed by the Recorder containing name of Co. number of claims and date of location, and to enter said claims upon the books kept for the recording of mining. Also when called upon to go upon the ground and measure off assessment work to enter it upon record and give a certificate. The recorder shall be entitled to receive for each entry of less than two folios of one hundred each $1.—and for each additional folio 25 cts for measuring off claims and entering copy of notice for each claim of 300 ft. 75 cts for filing notices of location, 25 cts for measuring assessment work and making entry of the same together with a certificate 2. And for each additional certificate 25 cts

SEC. 5. No person shall hereafter be elected to the office of Recorder except he be a claim-holder in, and has been a resident of, this disct. 90 days preceding his election

SEC. 6. The recorder shall at all times keep his books open for inspection and also appoint a deputy who in his absence shall attend to the duties of his office

SEC. 7. No person shall be entitled to hold more than three hundred feet superficial measurement of any one ledge by location, except by discovery for which he shall be entitled to hold more. than three hundred feet superficial measurement of any one ore ledge by location except by discovery for which he shall be entitled to hold an additional claim of 300 ft.

SEC. 8. The location or locations of any mineral or q'tz. leads, lode or ledge in this disct. shall be entitled to fifty feet on each side of such leads or lode located by him or them. All spurs lateral veins, leads on ledges bearing mineral within the space of the said fifty feet on each side of any lode or ledge located shall be considered as claimed and entirely belonging to the locator or locators of the same and a part and parcel of the said ledge.

SEC. 9. All copies of notice of locating must be filed with the recorder within 6 days after the date of such locating together with a description as near as possible of the situation of said ledge. The recorder must be notified with 30 days after such location to measure off and record the same.

SEC. 10. Within 60 days after locations, labor amounting to the excavating of 60 cubic feet of earth or of loose material, or 6 cubic ft. of solid rock for each claim of 300 feet, must be done on the ground claimed, or at a place designated by a written notice at the spot from which a tunnel is to be run for such ground; non-compliance with any of the provisions of this article shall subject the claim or claims of delinquents to re-locations.

SEC. 11. If the party performing the work, omit notifying the recorder of the claim for which such labor was intended to cover, such work shall be considered as done for the whole Co. and only hold a share of the claim in proportion to the labor performed.

SEC. 12. When the amount of labor specified in sec. 10. shall have been performed, the claim or claims for the benefit of which the same shall have been done, shall not be subject to re-locations for the term of one year from the expiration of the 60 days allowed for the performance of the same.

SEC. 13. Any person or persons having done work upon any ledge or tunnelling right, may have the recorder go upon the grounds and measure off the same, and if it be the full amount required, to hold the said ledge or tunnelling right for the term of one year the recorder shall be conclusive evidence of the due performance of the labor therein certified to have been done.

SEC. 14. The recorder shall upon the written request of any five or more miners of the disct., post up notices calling a miners meeting in three conspicuous places in the Disct., one of the notices being placed on the door of the recorders office, stating the object of the meeting, the place, the day and the hour of holding the same.

SEC. 15. Tunnelling claim running in any given direction across the supposed range of any ledge or lode may be located in the Dst., but all such claims shall be subject to the rights of previous locations within the bounds of said claims, but no locator of such tunnelling right shall be entitled to more than one claim of 300 ft. on each ledge that may be within the boundary of said right. All tunnelling claims shall hold all blind ledges within their boundaries and also all that are not well defined upon the surface; but all well defined must be named and be recorded with the tunnelling right, otherwise they shall be subject to location irrespective of tunnelling right.

SEC. 16. The whole arrear within the boundary of a tunnelling right shall be divided into claims of 300 ft. square each, and the parties locating such tunnelling right shall locate the whole of said claim, which claim shall be subj. to the same rules of location asst., recorders fees, as other claims in the Dst., but nothing in this Section shall be so construed as to prohibit the locations of said tunnelling right from the locations of more than one claim of 300 ft. sqr. where to superficial area within the boundary of said tunnelling right shall admit of more than one such claim to each locator of the same.

SEC. 17. The recorder shall be required to place at each corner of the ground claimed for a tunnelling right, a stake or monument as specified in Sec. ¾ 4., measure off and ascertain the length and general direction of each boundary line and superficial area of the ground claimed, and place a statement on record with the claim.

SEC. 18. Any member or members of any mining Co. in this Dst. having performed his or their full amount of labor required by the rules of the Dst., other members of the Co. delinquent, may abandon his or their claim or claims in the following manner. He or they shall serve upon the recorder of the Dst. a written notice of such abandonment, which said notice shall be duly recorded by the recorder. For the period of 3 days after the abandonment, said party or parties making the same, shall have the exclusive privilege of re-locating one claim each of 300 feet, or any portion of the ledge or tunneling right originally located. During the period of the 3 days above mentioned, the recorder shall record no notice of relocation of any part of the ledge, ledges, or tunnelling right on which the party or parties abandoning, held his or their claim, and no other notices of relocation shall be recognized, that may be placed upon the ledge, ledges, or tunnelling right, or that may be dated within the term of the 3 days aforesaid. And if the party or parties abandoning his or their claim or claims, shall not within 3 days relocate any portion of ledges or tunnelling right abandoned as above, provided the whole of said ledge or tunnelling right shall be subject to relocation by any party or parties desiring the same.

SEC. 19 The party or parties relocating any portion of the ledge or tunnelling right as before mentioned, shall have the ground so relocated measured off and recorded by the recorder, as in cases of original location.

SEC. 20. One hundred ft. sqr. shall constitute a placer claim, and shall be worked one day every six months, to hold the same.

21 That locators shall at any time work their asst. prior to the 1st day of July 1863.

The foregoing laws were this day and year first above written, adopted.

Isaac B. Cutter was unanimously elected County recorder.

On motion the meeting adjourned *sine die.* S. GREEN *Chairman.*

W. A. CHAMBERLAIN *Secty.*

MEETING FOR AMENDING AND APPROVING BY-LAWS.

At a meeting of the miners and citizens of Dun Glen, Sierra Disct. Humboldt Co. Nev. Ter. Apl. 30th 1864, D C Bryan was elected chairman. A C. Scranton, Secty.

The following laws were, this day and year first above written, the amendment of Sec. 13, adopted and placed on record. Each person owning 300 feet of mining ground, or 300 ft. on leads, lodds, or ledges, may receive a certificate for his asst. work by paying $2—to the road overseer, and 50 cts to the Disct recorder for the performance of 1½ days work in working on the road for each 300 ft.

Dun Glen—Apl 30th 1864. D. C. BRYAN *Chairman*

A. C. SCRANTON *Secty*

PROCEEDINGS OF A MEETING OF THE MINERS OF SIERRA DST. HELD AT CAPT. COMINS S'ALOON IN DUN GLEN, NEV. TER. JANY. 4TH 1868.

On motion, D P. Crook was called to the chair, and Robt. Ward was appointed secty.,

The secty. being requested to read the by-laws of the Disct., which was complied with.

On motion J A. Blossom was elected inspector of election.

On motion, Joseph Organ was elected Judge of election.

On motion Wm. Reccord was duly elected Judge of election.

On motion of Capt. Comins that the chair would select three men whose duty it should be to examine the by-laws of the Dst. and make such alterations as they should deem necessary, subject to the approval of the miners of the Disct. by ballot at the next election, Monday Jany. 6th 1868. The chair approved G. W. Holt, E. J Elry and Capt. Comins. On motion the proceedings of the meeting shall be placed upon the Disct Record.

On motion the meeting adjourned

D. P. CROOK *Chairman.*

ROBT. WARD *Secty.*

The undersigned having been appointed chairman of committee to revise the laws of Sierra Mining Disct. subj. to ratification at the election to be held on Jany. 6th 1868, beg leave to report that the time given, being insufficient to do justice to the duties imposed, ask further time or a discharge from said duties. Your committee would respectfully suggest that a special meeting be appointed to adopt a code of by-laws for said Disct.

G W HOLT, *Chairman.*

We the undersigned, Judge and Clerk of election held at Thos. Comins' saloon Jany 6th 1868 in the town of Dun Glen Humboldt Co. State Nev. for the purpose of electing a Disct. Recorder, hereby certify that Thos. Comins is duly elected.

J. A Blosson Inspector.

Jas. Organ Judge of election.

Austin T Gibson, Clerk

Michael Levy, "

RECORDER'S OFFICE *Jany.* 20 '68.

Pursuant to a resolution adopted Jany 6 '68 granting the committee further time to revise by-laws.

Notice is hereby given that the committee will report on the 30th day of Jany. 1868. at the Recorder's office when and where a special meeting is hereby called. For that purpose further notice is hereby given that at the above stated meeting, the miners of Sierra Disct. will be presented with a new code of by-laws for adoption.

THOS. COMINS, *Recorder.*

At a meeting of the miners and claim holders held this 30th day of Jany. A. D. 1868 at the Recorders Office, state for the purpose of revising the Disct. by-laws, the following by-laws were adopted.

SEC 1. A recorder shall be elected on the first monday in Jany. of each year by ballot, polls to be open at 2 o'clock P. M. and keep open until sunset. And on the second monday after his election shall receive all books and materials to the office, and enter upon his duties as Disct. Recorder, and shall hold his office for the term of one year, or until his successor is elected and enters upon the duties of his office. The disct Recorder shall Keep his office in Dun Glen, Sierra Disct. Humboldt. Co. State of Nev. And all elections and meetings shall be held at said office. Four days notice shall be given by posting notices, the same as provided in special meeting.

℔ 2. No person shall be eligable to the office of recorder, except he is a claim holder in, and has been a resident of the Disct. 60 days preceding the election.

℔ 3. All male residents over age of 18 years, being claim holders and having resided in the Disct. 30 days next preceding the election, shall be entitled to vote at all elections and mining meetings.

4. At all elections for recorder, one inspector and two judges shall be chosen by the electors of the Disct. who shall constitute a board to conduct the election. And they shall choose two suitable persons to act as clerks. The inspector and judges shall be chosen by a majority of the electors present at the opening of the polls. And said board of judges and clerks shall give a certificate of election to the persons receiving the greatest number of votes, and said certificate shall be entered upon the records of the Disct. All special elections shall be governed as above

5. It shall be the duty of the recorder to furnish at his own cost, books for his office, and keep the same open for inspection at all reasonable business hours. To keep the records in good order with convenient index, to record all laws of the Disct. and the proceedings of all miners' meetings, and copy verbatim all instruments of writing pertaining to mineral claims. Also when called upon to go upon the ground and measure all claims taken up, causing stakes or stone monuments to be erected at least two feet high at the boundaries thereof, and place upon such stake or monument, a written notice signed by the recorder containing the name of Company, the number of claims, the date of location, date of survey, and enter said date of location & survey upon the books kept for recording mining claims. To place on file and keep safely all notices pertaining to mining claims, left with him for such purpose. Also when called upon to go upon the ground and measure all assessment work and enter it upon the records, and give a certificate for the same. The recorder shall appoint a Deputy, which appointment shall be recorded and said Deputy shall have the same power and duties as the principal. The recorder shall have power to revoke such appointment at pleasure.

6. No person shall be entitled to hold by location more than 200 feet lineal measurement, or any ledge or vein except by discovery, for which he may hold one additional claim of 200 ft. And all claims shall include 50 feet on each side of the vein for working purposes, with all dips, spurs not held by prior location.

7. All locations of claims shall be made by placing a stake or monument at least 2 ft. high on some conspicuous place on the claim with a notice thereon, containing date of location, names of locators, name of Co., number of feet claimed and the number of feet each way from said notice, and within 10 days following, a copy of said notice with Recorder, which shall hold said claim 30 days from date of location.

8. Within 30 days after location, labor amounting to the excavating or removing of 60 cubic feet of earth or loose material, or 60 cubic feet of solid rock, for each claim of 200 ft. must be done on the ground claimed as assessment work, which shall hold said claim up to the 1st day of Aug. following said location.

9. After the first assessment work has been performed as required in Sec. 8. and prior to the 1st day of Aug. in each year, a similar amount of assessment work shall be performed, or in lieu thereof, assessments due, paid as hereafter named, to hold such claims for the following assessment year.

Assessment done as above, shall consist of ½ ct. per foot in legal currency which shall be paid to the recorder, and receipt from the recorder, of asst work done or asst. dues pd., shall be sufficient to hold said claim for the ensuing asst. year.

10. One half of all assessment due, received by the recorder, shall be appropriated by the recorder, for the Disct school fund, and one half per cent, for the improvement of public roads within the limits of mining Disct. And the recorder shall on the 1st Saturday of Aug. Nov. & Feby. and May of each year, pay to the order of the School Treasr of the Disct. ½ of all such dues received by him, and ½ such dues to the road commissioner.

11. Any person perfecting the amt. of asst. work, required by Sec. 8. shall notify the recorder, when he shall go upon the ground and measure the same, and give such person a certificate for the amount of work performed,

12. Any claim upon which asst. work shall not have been done or assessment dues paid as required in Sec. 9 shall become delinquent and subject to relocation, but any member of a Co. may perform his or their proportion of asst. work and receive a certificate for the same in their own name or names.

13. The fees of the recorder shall be as follows for measuring each claim of 200 feet and entering copy of notice 75c—for filing notice 25c—for measuring asst. work on a claim and giving certificate $2.—Fees payable in U S. Cy.

14. In a Co. when any member is delinquent, any or all of the members not delinquent may abandon their claim or claims, by filing a notice of the same with the Recorder and having the same entered on the records.

15. The Recorder shall not be compelled to perform any duties where fees are required, unless such fees are tendered in advance if he refuses it.

16. If the recorder shall fail to perform the duties of his office as required in the Disct. by-laws, he may be removed and his office declared vacant by a two thirds vote at any special miners meeting called for that purpose, after due notice has been given for such meeting.

17. The recorder shall upon the written request of five or more miners, being voters in the Disct. post up notices in the most conspicuous places in the Disct. calling a special miners meeting. One of the said notices shall be placed upon the door of the recorders office, & shall be posted 10 days prior to such a meeting, stating the date and purposes of such meeting. If. a vacancy occurs in the recorders office, or if the recorder neglects to post such notices, the miners can post said notice, being signed by five or more as above named. If a vacancy occur in the recorder's office by resignation or otherwise, a special meeting may be called, and a recorder elected to fill the unexpired term.

18. Any Co. shall have the right of way to work their claim through any intervening claim, by giving to the owners of said claim all mineral or rock of value taken therefrom. The Co. claiming such right, shall pay all road damages to the owners of the claim through which they run.

19. The by-laws may be altered or amended at any regular meeting of the miners of the Disct. by a majority vote, or at any special meeting by a two thirds vote.

20. Boundaries of Sierra Mining Disct. are as follows—Commencing at a point in the Valley between the Star range and the first East Range Known as the Jacobs Wells—thence running East through Natchez Pass, down Natchez ravine to center of center of Grass Valley, thence up said Valley to the Humboldt River, thence down the Humboldt River to the above named Valley lying between the Star and the first East range, thence down the center of said Valley to the place of beginning.

21. All former by-laws of this mining Disct. are hereby repealed.

22. Moved and seconded that the Secty. of this meeting, keep in his possession until duly copied, the records of the Disct. and that the same are returned and kept by Disct. recorder.

We the undersigned, hereby certify that the above by-laws are a correct copy of the by-laws adopted by the miners of Sierra Mining Disct.

Jan 30th 1868.

J. A BLOSSON *Chairman.*

AUSTIN T GILSON *Secty.*

PROCEEDINGS OF A MINERS MEETING HELD THE 1ST DAY OF JAN. 1872 AT D. P. CROOK'S HOTEL.

On motion C S Osborn was appointed Chairman and L. D Sprague Secty.

On motion of D P. Crook duly seconded, C D Sprage was requested to read over a revision of the by-laws for Sierra Mining Disct. which revision had been requested to be made by an impromptu meeting of claim holders held a few days previous.

Having read the revision of the by-laws,

On motion of Chas. D Sprague to have some accepted, seconded by Jno. Wright, was put to vote and motion was carried unanimously.

C S OSBORN *Chairman.*

C D SPRAGUE *Secty*

At a meeting of claim holders of the Sierra Mining Disct. held in this town of Dun Glen, Humboldt Co. Nev. this 1st day of January 1872., all former by-laws were revoked and the following were accepted by a unanimous vote.

SEC. 1. The annual election for recorder of Sierra Mining Disct., Humboldt Co. State of Nevada, shall take place in the town of Dun Glen in said County, on the first monday in January of each year. Polls to remain open from 2 o'clock P. M. to sun-down. The recorder thus elected by a majority of legal voters, shall receive all books and materials of office, and take his seat of office in said town of Dun Glen and enter upon his duties as recorder of the Disct. immediately after his election. The term of office shall be for one year or until his successor is elected. All elections and meetings shall be held at his office, and five days, previous to said elections and meetings shall be given, by posting notices in public view.

Special meetings shall be called at the written request of not less than ten legal voters, and it will be the duty of the recorder to notify by public notice in three conspicuous places, that said meeting will be held ten days after the request.

2nd No person shall be elegible to the office of Disct. Recorder, unless he is a legal voter, and a citizen of the U. S. and has been a resident in the Disct. 60 days preceding the annual election.

3rd All residents over the age of 18 years, being claim-holders, and having resided in the Disct. 30 days, shall be entitled to vote at all elections and miners meetings.

4th At the election of Disct. Recorder, one inspector and two judges shall be chosen by a majority of electors present at the opening of the polls, who shall constitute a board to conduct the election, and they shall choose two suitable persons to act as clerks. Said board of judges shall give to the person thus elected Dist. recorder, a certificate of his election, which certificate shall be entered upon on the record.

5th It shall be the duty of the Disct. Recorder, to furnish the necessary books & writing material of his office, at his own expense, & shall keep said books open for inspection at all reasonable business hours. To place on record all proceedings of miners meetings, and copy verbatim all written instructions pertaining to mining claims; and when called upon to go upon the ground and measure such claims, and assessment works, causing stakes and stone monuments at least 2 ft. high to be erected, designating the exact boundaries of said claims, with a written notice placed thereon, duly signed by him, specifying the number of claims, names of locations, name of Co., date of location, and date of survey, and entering said locations and asst. works, in the books of records. To place securely on file, all notices pertaining to mining claims, and it shall be his duty to determine whether all asst. work as prescribed by the present Disct. Mining Laws, have been faithfully performed, & shall give a certificate to that effect, if found correct, & shall enter same on record. The recorder shall have the power to appoint a Deputy, who will be endowed with the same power. and duties as the recorder, and the recorder shall have the power to revoke such appointments.

6th No person shall be entitled to hold by location, more than 200 feet, linear measurement, or any ore ledge, except by discovery, for which he may hold one additional claim of 200 ft. And all claims shall include 50 ft. on each side of the vein or ledge, for working purposes, with all dips, spurs, and variations, not held by previous locations. All locations of claims, shall be made by placing a stake or stone monument at least two ft. high on some conspicuous place on the claim, with a written notice therein specifying the number of feet each way from the monument date of location, names of locators, name of Co. number of feet claimed, within 10 days from date of location. A copy of such notice shall be filed with the recorder, the performance of which shall hold said claim 30 days from date of location. Labor must be on the vein &c. within the boundary of his claim, by tunnelling, or shaft to the extent of 100 cubic feet of earth or loose material, or 100 ft. of solid rock for each rock for each claim of 200 ft., which labor having been performed, shall hold said claim up to the 1st day of Aug. following. The same extent of work shall be executed every year, and if not performed prior to the above date, said claims shall be considered delinquent, and subject to relocation.

7th Any one or more members of any Company, who have done their asst. work as per. the by-laws and the remainder have failed to do so, those who have, shall have the right. on the last day of the asst. year, to call upon the recorder, and in his presence they shall proceed to segregate their ground and be entitled to select such portions according to the number of feet they own of the whole location, as they may desire, leaving the balance subject to relocation as per the Mining Laws of the Disct. Such regulations shall be recorded as a segregated location. The recorders fees for so doing shall be the same as for location—viz:—For measuring each claim of 200 ft. & entering copy of notice, 75c. For filing 25c. Asst. work on Co.'s claim & giving certificate thereof, $2.—payable in gold coin. The recorder shall not be compelled to perform any duties where fees are required, unless such fees are tendered in advance.

8th If the recorder shall fail to perform the duties of his office, as required by the Disct. Mining Laws, he may be removed and his office declared vacant by a two thirds vote at any special miners' meeting called for such purpose. If a vacancy occurs in the recorders office by resignation or otherwise, a special meeting may be called, and a recorder elected to fill the unexpired term.

9th Any claim exceeding the distance of 6 miles from the town of Dun Glen, entitles the recorder to mileage fees, viz:—50 cts for every additional mile exceeding the above distance.

10th The by-laws may be altered and amended at any regular meeting of the claim holders of the Disct. by a majority vote of those present, or at any special meeting duly called, by a two thirds vote.

11th. All former laws of Sierra Mining Disct. are hereby repealed.

At a special meeting called by the miners of Sierra Disct. held at the store of Sprague & Co. at 7 o'clock P. M. in the town of Dun Glen, Mr. Jno. Wentworth was duly elected as Chairman.

After the meeting it was moved by Mr. Jno. Wentworth that C. D Smyth should be Secty., duly seconded & carried.

It was moved by Richard Glann that the chairman should appoint a committee of three to revise the by-laws of the Disct. in conformity with the U S. Mining Laws approved May 12th 1872.

Chas. D Smyth, C S Osborn, & D P Crook were duly appointed as the committee.

It was moved and seconded that the meeting should adjourn until Saturday Aug. 17th 1872

S. D. SMYTH.

DUN GLEN. *Aug.* 9th 1872.

The miners of the Sierra Disct. assembled Aug. 17th 1872 to hear the report of the committees appointed on the 1st inst. present the new mining laws for the Sierra Mining Disct. to be in conformity with the new U. S. Mining Laws.

The committee not being able to report, asked for more time.

Mr. J W. Norman nominated D P. Crook as chairman of the meeting, and he was elected. C D. Smyth—secty.

Jno. Wentworth moved that the meeting be adjourned until Aug, 31st 1872. at 7. P. M.

C. D. SMYTH, *Secty.*

DUN GLEN. *Aug.* 1872.

The committee appointed at the special meeting of the miners of Sierra Disct. of Humboldt Co. State of Nevada, held at the recorder's office at Sprague's & Co's store Aug. 1st 1872 to revise the by-laws of the Disct. in conformity with the U. S. Mining Laws, approved May 11 '72, respectfully report the following Secs.

1st The Disct. shall be known as the Sierra Mining Disct. situated on the North extremity of the 1st East range of the Humboldt. Mts. and bounded as follows. Commencing at the N. corner of Columbia Disct. thence down the center of Grass Valley, in a Northerly direction to the Humboldt river and to the East range of Mts. . Thence in a Southerly direction along the middle of said Valley, to the South West cor. of the lately annexed Oro. Fino Mining Disct., thence to the South West cor. of Gold Run Disct. thence along the West boundary of Gold Run Disct. in a Westerly direction to the junction of Harmony Disct. thence along the Southern boundary of Harmony Disct. to place of beginning.

2nd All resident miners in this Disct. shall be entitled to vote at any meeting of the miners of this Disct. provided that all persons owning claims in this Disct. shall be considered miners, and shall be entitled to vote at all meetings.

3rd Any person or any number of persons, may locate Mining claims within this Disct. but no claim or claims hereafter to be located, shall exceed 1500 ft. in length along the vein or lode, and no locations of any mining claim or ledge shall be made until the discovery of the vein or lode within the limit of the claim located.

4th Locations shall be made as follows to wit:—By placing notices notices in a conspicuous place upon the ledges & filing a copy of said notices with the Disct. recorder. Said notice shall state the number of feet claimed, direction & course of claim as nearly as nearly as can be ascertained, and names of claimants ledges & Co's.

5th The recorder shall measure all claims and cause monuments to be erected within 20 days, on the boundaries thereof, after the filing of any notice, and record said notice within 10 days.

SEC. 6. One each claim located after the passage of this law and until a patent shall have been issued. Therefore not less than $100 worth of labor shall be performed or improvements made during each year on all claims located prior to the passage of law. $10 worth of labor shall be performed or improvements made during each year for each one hundred feet in length along the vein, until a patent shall have been issued therefore, but where such claims are held in common such expenditure may be made upon any claim and upon a failures to comply with these conditions the claim or mine upon which such failure occurred, shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs or assigns or legal representatives have not resumed work upon the claim after such failure and before such location has been made upon the failure of any one of the several company owners to contribute his portion of the expenditures required by this law the Co. owners that have performed their labor or made the improvement may at the expiration of the year give such delinquent notice in writing or notice by publication in the newspapers published nearest the claim for at least once a week for 90 days after such notice in writing or by publication such such delinquent should fail or refuse to contribute his proportion to comply with this law his interest in the claim shall become the property of his Co. owners who have made the required expenditures provided that for the purposes of doing the labor enjoined by these laws and sec. 6 of the act of congress of May 10—1872 the year for which said work shall be done and computed from the 10th day of May. of ea. year from and after the making of any locations until the Tenth of May of the succeeding year and a proportionable amount of such labor may be done upon any claim here after located to hold the same for a fractional part of a year until the succeeding tenth day of may. and thereafter all work shall be done between dates above specified upon all claims the claimants thereof not having performed or caused to be performed the amount of assessment work required by law their title shall be forfeited.

SEC. 7. An election shall be held upon the first monday of January of each year and every year for the election of a district recorder who shall be elected by ballot and shall hold his office for one year or until his successor shall be elected and shall assume the duties of his office. The recorder may appoint a deputy who shall have all all the powers and exercise all the duties of his principal. The appointment of such a Deputy shall be recorded in the Dist. records.

Eight=The recorder shall give a certificate specifying the amount of work done upon any claim when required to do so and shall keep a record of the same specifying the contents of said certificate.

SEC. 9. The fees of the recorder shall be as follows for filing each notice of location 25c. for measuring and recording claims for ea. 100 ft. 50c for certificate of assessment work done 25c. For each mile travelled or for measuring work on each 100. 10c measuring and recording each tunnel claim and right $10^{00}. The fees of the recorder shall be due and payable in advance on demand.

SEC 10 That where a tunnel is run for the development of a mine or lode or the discovery of miners the owner of such tunnel shall have the right of possession of all vains or lodes within 3000 feet from the face of such tunnel on the line there of not previously known to exist, discovered in same extent as if discovered from the surface and locations on the line of such tunnel of veins or lodes not appearing on the surface made, by others after the commencement of the tunnel and while the same is being prosecuted with reasonable diligence shall be invalid but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the, east line of said tunnel.

11. In computing the amount of work to be done in any claim according to these laws and the Act of Congress, a days labor shall be held and considered equivalent to the sum of $5. in coin—And in giving certificates of the amount of work performed upon any claim, the recorder shall estimate the amount according to the number of days labor which shall appear to have been performed.

12th The recorder shall at any time upon the written request of 10 miners, call a meeting of the miners of the Disct. to consider any question which shall be brought before them pertinent to the affairs of the said Disct. Notice of said Meeting shall be given by posting notices in 3 conspicous places, stating the object thereof, for at least 10 days prior to the holding of said meeting.

13th All laws heretofore in force in this Disct. are hereby repealed.

14th These laws shall take effect upon the 1st day of Sept. 1872., all of which is respectfully submitted for adoption.

CHAS. D SMYTH.
C S OSBORNE
D P. CROOKS.

LANDER COUNTY.—SANTA FEE MINING DISTRICT.

[Reese River Reveille, Vol 1, No 1. May 16th 1863.]

LAWS OF SANTA FEE. MINING DISTRICT

SECTION 1. The district shall be known as Santa Fee Mining District and shall be bounded as follows, to wit: Ten miles south of the creek known as Big Smoky or Santa Fee Creek, and ten miles north from the same point, on the east ten miles and west five miles from the summit of the mountains.

The officers of this District shall consist of. at present, a Recorder elected by those taking part in these proceedings and shall hold his office for the term of one year from the date of election.

SEC 2. It shall be the duty of the Recorder to call all necessary meetings of the miners of the district, to preside thereat and to discharge the duties pertaining to said office.

SEC. 3. In the absence of the Recorder or his inability to act, it shall be the duty of his deputy to act in his stead.

SEC. 4. It shall be the duty of the Recorder to keep in a suitable book or books, a full and truthful record of the proceedings of all public meetings, to place on record all claims brought to him for that purpose, when such claims shall not interfere with or affect the rights and interests of prior locators. recording the same in the order of their date, for which service he shall receive, fifty cents for each claim recorded and fifty cents per folio for recording the transfer, bill of sale, or deed of and to any mining property. It shall also be the duty of the recorder to keep his books open at all times to the inspection of the public. He shall also have the power to appoint a deputy to act in his stead, for whose official acts he shall be held responsible

SEC 5 All examinations of the records must be made in the full presence of the Recorder or his deputy.

SEC. 6. Notice of a claim or location of mining ground, by any individual or company, on file in the Recorders office shall be deemed, sufficient, or equivalent to a record of the same.

SEC 7. Each claimant shall be entitled to hold by location, two hundred feet on any lead in the District, with all its dips, spurs and angles, the discoverer to be entitled to one claim extra for discovery

SEC 8. The locators of any lead or ledge in the district, shall be entitled to hold on each side of the lead, ledge, or lode, located by him or them one hundred feet for working purposes

SEC. 9. Any person or persons, company or companies who shall locate ground under these laws, shall be entitled to hold and enjoy, and receive all profits of working any and all leads, lodes, or ledges of mineral deposits found, and within the limits of their location and claim, by the running of tunnel, cut, shaft or or drifts on any part of the ground claimed, which shall be considered as work done upon the claim, and if such work amounts to that required by law, the title of these grounds claimed shall be deemed to vest in the locators and their assigns.

SEC. 10. Every claim, whether by individual or company, located, shall be recorded within ten days after the date of location

SEC 11. That all claims heretofore or shall be hereafter recorded in this district, shall hold good until the first day of June 1863, without further labor being expended on said claims, and if work be not commenced on the 4th day of June 1863, they shall be considered abandoned and subject to relocation.

SEC 12. Whenever one thousand dollars shall have been expended on the claims of a company in this district, the ground so claimed by the company shall be deemed as belonging in fee, to the locators thereof and their assigns, and the same shall not be subject to location or relocation by other parties, ever, after, except by an acknowledged abandonment by the company of the grounds.

SEC 13. The recorder shall go upon the ground with any and all parties desiring to locate claims, and shall be entitled to receive for such service, say, for a company location of ten or more names, five dollars, and for each location numbering less than ten names, fifty cents each,

SEC 14. Locations of claims to mining grounds may be made within this district between the dates of May 1st 1863. and the 1st day of June 1863, and any such claims so located and recorded, shall not be subject to forfeit or deemed forfeited and subject to relocation for not working within these dates.

SEC. 15. An election of officers shall be held at a place within this district, to be designated by public notice of the Recorder, in one year from the adoption of these rules and laws. A vacancy can be filled by an election, on the call of the Recorder at any time, by giving ten days notice. All officers to hold office until their successors are duly qualified. No person shall be allowed to vote, after the adoption of these laws and the election of officers, at any subsequent election, except such voter be an actual owner of a claim in this district.

SEC 16. These rules or mining laws may be altered or amended by a two-thirds vote of those owning claims in this district at any time after 20 days notice of such intention shall have been published in the Territorial Enterprise and Sacramento Union, or any paper published in this county, and shall have been posted in three public places in the district.

SEC 17. In case of Indian troubles or difficulty of any kind that may prevent the working of claims in this district, such claims are not liable to relocation by other parties, but hold good for the original locators for 20 days after due notice shall have been given by the Recorder or his Deputy and published in the Territorial Enterprise and Sacramento Union.

SEC 18. All persons holding claims in this district shall be entitled to thirty days after recording such claims, before working them, and they will not be liable to relocation by other parties during that period. Work to the amount of $10 or one days labor is

required for every claim of two hundred feet, each month or such claims will be considered abandoned and liable to relocation by other parties.

WM M. DAVIS *Recorder.*

THOS. C. HALL, *Dep'ty Recorder.*

J. A. McDONALD.	JAMES KENNEDY	JNO A. VEATCH.
THOS. KAVANAGH.	LOUIS LA PAGE.	THOMAS HEAP.
JOHN DUIAN.	QUINTO RIBO.	ROBERT FERRIS.
DANIEL CALLAGHAN.	G. GORLERO.	HENRY BOULEVEUN.
PATRICK BIGLAN.	LUCIEN BLANCHARD.	L. CRIMINANT
JOHN D. BOYD.	THOS. C. HALL.	WM M. DAVIS.

GUADALAXARA. SANTA FEE DISTRICT, *Lander Co April 12th.* 63.

LANDER COUNTY.—CORTEZ MINING DISTRICT.

PROCEEDINGS OF MINERS MEETING.

Notice.

There will be a Miners Meeting held at the assay office Mill Creek Canon Cortez, Lander county Nevada, on Saturday March 9th, 1872, for the purpose of Electing a Recorder for the ensueing year, and transacting any other business that may possibly come before it, By request of many miners,

CORTEZ DISTRICT NEVADA *February 20th*, 1872

In accordance to the above Notice a majority of the miners of the Cortez Mining District met at the assay office at 3 Oclock, P. M. Saturday March 9th, 1872,

On motion Mr. C. A. La Grave was appointed chairman and Mr. S. L. Waters Secretary,

The meeting being called to order and its objects Stated by the chairman, it was moved and seconded that the Election be decided, Mr. James Laraway was then nominated, and the election took place with the following result, James Laraway being unanimously elected,

On motion the chairman was authorized to appoint a committe of three to draft a sett of bylaws to be submitted to the Meeting for its action,—

M, Fitzgerald, Robt. A. Ross & James Laraway being appointed, the following is the report of the committe and after being read—acted on by the Meeting were unanimously adopted,

ARTICLE 1.—The Boundaries of the District to remain unchanged,

ART. 2.—All claims must be presented for record within Fifteen days from date of Discovery,

ART. 3.—Notice of a claim by any individual or Company filed in the Recorders office shall be deemed equivalent to a record of the Same,

ART 4.—Each claimant shall be entitled to hold by location two hundred feet on any lead with all its dips, spurs, and angles, With all the minerals therein contained, The discoverer or locator of any new lead being entitled to one claim extra for discovery,

ART. 5.—The locators of any lead or load shall be entitled to hold one hundred feet on each Side of the Ledge for working purposes but this Shall not be constrained to mean any parallel ledge within the two hundred feet, other than the one originally located.

ART. 6.—All claims located in this District must have two days work done on them within thirty days from the filing of or record otherwise they will be subject to relocation,

ART. 7.—Two days work for each claim of two hundred feet shall hold a claim for one year from the date of location and five days work for each claim of two hundred feet shall a claim for each succeding year,

ART. 8.—All locations shall be made by a written Notice posted upon the ledge, With a description of its extent from a given point its boundaries, and directions, and names of locators,

ART 9.—Tunnel Claims may be located for the purpose of prospecting for veins or lodes and shall entitle the locators to same amount of surface ground as in the location of veins or lodes, but no Tunnel location shall give priority of location on veins or lodes actualy discovered, disclosed or recorded either before or after the time of locating such Tunnel and the right to any and all blind Lodes or veins discovered by any means of a Tunnel Shall date from the actual discovery and disclosure.

ART 10.—There shall be an election held on the 9th day of March every year hereafter for the purpose of electing a Recorder who shall hold the Office for one year unless by death removed or for other Reasons when a notice signed by a majority of the miners shall be posted conspicuously ten day in the District for the purpose of calling a meeting to elect another Recorder, or for the purpose of altering or amending the laws, but these laws shall not be altered or amended in any other manner,

ART. 11.—It shall be the Duty of the Recorder to keep in a suitable set of Books or a Book a full and truthful record of the proceedings of all public meetings, to place on record all claims put on notice, brought to him for record recording the same in the Order of their date, it shall be the duty of the Recorder to keep his Books open at all times to the inspection of the public. He also shall power to appoint a Deputy to act in his Stead it shall be the duty of the Recorder to deliver to his successor in office all Book, records and papers belonging to or pertaining to his Office,

ART. 12.—All examinations of the records must be made in the full presence of the recorder or his Deputy,

ART 13.—The Recorder shall be allowed one Dollar Coin (payable in advance) for each mame to a location and one Dollar for each name to an abstract of his Records,

ART 14.—These Laws to take effect from this date and that all laws heretofore in existance conflicting with them be hereby

declared nul and void, and that a copy of thes laws be preserved by the Recorder of the District in the Book of records and that a copy of the same be published three times in the Reese River Revilee,

Cortez District March 9th, 1872,

Signed by

C. A. LA GRAVE,	W. B. BROWN,	JNO WATERS,
W. H. DUCOMMUN,	FRANCIS FENAND,	ANDREW CASSIDY,
ROBT. A. ROSS,	M. FITZGERALD,	FRANK WILLIAMS
WILLIAM CALNAN,	PHILIP GILL,	WM MRcCONNLL
JAMES A LA GRAVE,	JAMES LARAWAY,	

The foregoing proceedings recd. for record June 9th 1872 and recorded June 20th, 1872.

SIMEON WENBAN *Dist. Recorder*

LAWS OF THE CORTEZ MINNING DISTRICT.

Agreeable to A Notice posted at Veach Camp, on Mill Creek Canon, Lander county, Nevada Territory, on May fifteenth eighteen hundred and Sixty three, calling for A meeting of the miners of this vicinity for the purpose of organizing A Mining District and A code of laws for governing the same, we the undersigned miners met and adopted the following articles to wit:

ARTICLE I.—That this District Shall be known as the Cortez mining District,

ART II.—That we believe other Districts will be formed adjoining the Cortez District; therefore, we will describe no limit for the Cortez District, but will in the event of other Districts being formed, hold claim to ten miles square as the Cortez District, the crest of Bullion Hill, at the Andrew Veach Ledge being the center of said District

ART III.—That A miner's claim in this District shall consist of two hundred feet, running length wise on the ledge, and also two hundred on each side of the Ledge, together with all of the metals or minerals that may be contained within the lines of said, and that said Claim shall follow the course of the Ledge with all of its dips, sprs, and angles,

ART IV.—That any person or Company may hold one claim by location in each and every different Ledge in this District

ART V.—That in case there shall be locations of claim in this District where there is not an extent of two hundred feet on each side of their Ledges without conflicting with eachother, the first location Shall in all such cases hold their claims entire over any and all subsequent locations,

ART VI.—That any person or Company wishing to prospect for an imaginary or blind Ledge Shall be entitled to hold four hundred feet in width by posting a Notice of the same on the ground, and describing lines etc,

ART VII.—That all claims located as pr. Art. VI. shall be held an respected as any other mining Claim in the District,

ART VIII.—That the posting of A notice on a claim and having the same recorded by the Recorder of this District Shall hold any and all claims without any improvements until the first day of October eighteen hundred and sixtythree,

ART IX.—That within thirty days after the First day of October eighteen hundred and sixtythree, there shall be the amount of ten Dollars expended on each companies claims in this Districts, and all claims not so improved shall be open for relocation, to any parties who may choose to locate the same after the expiration of the said thirty days,

ART X.—That any company expended said amount as specified in art. IX. shall hold any and all such claims without further expenditure until the first day of May Eighteen Hundred and Sixty four, and after that time there shall be one days Labor or five dollars valuation of improvements, expended on each and every Company's in this District once in every thirty days and every Company having expended the amount of five hundred dollars on their claim, shall hold them thereafter unto themselves, their heirs or assigns forever,

ART. XI.—That any person discovering a Ledge shall be entitled to an extra Claim of two hundred feet on the Ledge as a discovery claim; but in no case shall there be more than one discovery claim on each ledge,

ART XII.—That any Company having expended the amounts of improvements required in these laws whether it be expended on the mine or building or any thing Else that may be directly connected with the working or improving of the Company's claims shall in all such cases be considered the same as if the amount was placed exclusively on the mine itself,

ART XIII.—That there be a Recorder elected for this District whose duty it shall be to record all claims that may be located in said District and presented to him for record, and that he shall receive the sum of fifty cents for each claim recorded and five dollars extra for going on the ground to be recorded, Which duty he shall perform in all cases,

ART XIV That any claim in this District shall not be respected, that is not recorded, or placed on file for the same within ten days after its location,

ART XV,—That a mining Company may hold four hundred feet square for tunneling purposes, dumps, Buildings &c., and also that any Company having ground situated in a way that it is necessary for them to run through any other Company's Ground in order to work their claim, that they shall have the right of way for running the same, provided the said tunnel does not conflict with any other Company's works

ART XVI.—That the Books of the Recorder of this District shall be at all times be open for inspection to any person wishing to examine the same, but in no case shall they be taken from his immediate presence,

ART XVII.—That the Recorder's term of office shall continue so long as he performs the duties satisfactory to the majority of the miners contained in this District.

ART XVIII.—That John F. Cassell be, and is hereby elected Recorder of the Cortez District, to hold said office in accordance with article XVII.

ART XIX.—That a copy of these laws be preserved by the Recorder of this District and another copy posted on some conspicuous place in said District, and also that they be inserted three times in the Colums of the Virginia Daily Union.

We hereunto affix our names and seals, done at Veach Camp, Mill Creek, Canon, Lander County, Nevada Territory, on the twwenty-fifth day of May Eighteen Hundred and Sixty-three,

A. A. VEACH,	JOSEPH SCHMADEL,	SAMUEL McCURDY,
JAMES WILSON,	SIMEON WENBAN,	CHARLES DURNING,
THOS. D. McMASTERS,	HENRY FARRELL,	JOHN F. CASSELL.

LANDER COUNTY.—SMOKY VALLEY MINING DISTRICT.

[Reese River Reveille May 30th 1863.]

LAWS OF SMOKY VALLEY DISTRICT.

At a meeting of the miners, duly "called, in Smoky Valley District May 20th 1863. for the purpose of amending and altering the By Laws of said District. R. K. Bruce, the President being called to the chair, the meeting was called to order.

On motion of H. A. Barrows, a committee of five were appointed to revise the laws, consisting of W. E. Harding Wm McBroom. C. C. Wallace Wm Rose. G. King.

The committee having concluded their business the following laws were read and adopted by the unanimous vote of the miners present.

SECTION 1. This district shall be known as the Smoky Valley Mining District and shall be bounded as follows, to wit; On the west side by the dividing ridge between the waters of Smoky Valley and Reese River Valley; on the north by the Overland Stage road; on the east by Smoky Valley; on the south by a distance of ten miles from Birch Creek. The officers of this district shall consist of a President, Secretary and Recorder, elected by those taking part in these proceedings and shall hold their respective offices for six months from the date of their election.

SEC. 2 It shall be the duty of the President to call necessary meetings and in case of his absence or inability to act, the Recorder shall act in his position.

SEC. 3. same as Sections 4 & 5 in Santa Fee Dist. Laws.

SEC. 4. Same as sect, 6. Santa Fee Laws

SEC 5 Same as Sect 7. Santa Fee Laws

SECT 6. Same as Sect 8. Santa Fee Laws.

Any company that shall run a tunnel, ten feet, running measurement, for the purpose of striking their ledge at a greater depth than the surface, or shall sink a shaft on the ledge ten feet, shall be deemed sufficient work to hold the ledge or lode of said company for one year, provided the said shaft, incline or tunnel, shall be completed by the first day of August 1863.

Any location made after the date of these laws, shall be entitled to sixty days to sink said shaft or incline, or to run said tunnel, under the above provisions.

The Recorder when called upon to record claims that are subject to relocation, shall in case of dispute between contending parties withhold his record till said parties choose each of them a person, said two choosing a third party, they to determine whether said location is subject to relocation or not, the Recorder to be guided by their decision, which must be in accordance with the laws of this District

SEC. 8. The Recorder or his deputy shall go upon the ground with any and all parties desiring to locate ledges and shall be entitled to fifty cents for each and every claim that he may record.

SEC. 9. Every location of mining claims made whether by a company or individual, shall have a written notice placed in some conspicuous place thereon, with the number of claims located and the names of the locators.

SEC 10. Same as Sec 10. Santa Fee Laws.

SEC 11. Same as Sec 12 Santa Fee Laws

SEC 12. Same as Sec 9. Santa Fee Laws

SEC 13. An election of officers shall be held at a place within this district, to be designated by public notice of the President or Recorder, in six months from the date of the adoption of these laws. A vacancy shall be filled by an election, on the call of the President or Recorder at any time after 10 days notice, by posting three notices in the District; all officers to hold office until their successors are duly qualified.

SEC 14. These laws may be altered or amended by a two thirds vote of those owning claims in this District, who are present at the meetings, at any time after ten days notice shall have been given on the call of the President or Recorder by posting three notices in the most conspicuous places in the District.

R. K. BRUCE. *President.*

H. A. BARROWS. *Secretary & Recorder.*

NYE COUNTY.—UNION MINING DISTRICT.

MINING LAWS OF UNION DISTRICT

Preamble.

Whereas it has been the custom and practise and privilege of miners and those interested in mines to form mineing Districts specifying their Boundaries and makeing rules and regulations for the creation and holding and working of their mines and whereas the miners and others interested in mineing in this Union District did assemble in said District on the 8th day of June 1863 and passed laws by which this District shall be govened.

SECTION 1. This District shall be known as the Union Mining District and be bounded as follows. on the north by a distance of ten miles from Milton on the east, ten miles from Milton, on the south ten miles from Milton, on the west, ten miles from Milton.

SEC 2. The officers shall consist of a President, Secretary, and Recorder elected by those taking part in these proceedings and shall hold their respective offices for the term of one year from the date of their election.

SEC. 3. It shall be the duty of the President to call all necesary meetings of the miners of this District, to preside thereat and to discharge the duties pertaining to said office. In the absence of the President from the District or his inability to attend it shall be the duty of the Recorder to act in his stead.

SECT. 4. It shall be the duty of the Recorder to keep in a suitable book or books a full and truthful record of the proceedings of all public meetings, to place on record all claims brought to him for the purpose, when such claims shall not interfere with or effect the rights and interests of prior locations, recording the same in the order of their date, for which service he shall receive fifty cents for each record and fifty cents per folio for recording all transfers, bills of sale and deeds of and to, any mineing property. It shall also be

the duty of the Recorder to keep his books open at all times for the inspection of the public, he shall have the power to appoint a deputy to act in his stead, for whose official acts he shall be held responsible

SEC. 5. All examinations of the records must be made in the presence of the Recorder or his deputy.

SEC 6. All notices of claims of mineing ground by any individual or company on file in the Recorders office shall be deemed equivalent to a record of the same

SEC 7. Each claimant shall be entitled to hold by location, two hundred feet on any ledge in this district, with all its dips, spurs and angles, ofshoots outcrops, depths, widths and varyations, and all mineral ores there valuable, therein contained, the discoverer of any location of a new ledge, being entitled to one claim extra for discovery.

SEC 8. The locator of any lead ledge or load in this District shall be entitled to hold on each side of the lead, load or ledge located by him or them fifty feet, any lateral or paralell veins leads or ledges bearing mineral within fifty feet on each side of the main ledge shall be considered as claimed by and entirely belonging to the locator, locators of a lead and his or their assigns and part and parcel of the same mine.

SECT 9. Any person or persons, company or companies who shall locate ground under these laws shall be entitled to hold and receive all the profits of working, any lead ledge or load of mineral depths found within the limits of their location and claimed by the running of any tunnel cut or shaft and drift on any part of the ground claimed, which shall be considered as work done upon their claims. If such work amount to that required by the laws, the title of the ground shall be deemed to rest in the locator or locators and their assignees.

SEC 10. Every claim whether by individual or companies located shall be recorded within ten days after date of location.

SEC 11 All claims recorded in this District shall hold good untill the 1st day of September 1863 without further labor expended on said claims, if work be commenced by said 1st of September, but if work be not commenced on or before said day they shall be considered as abandoned and subject to relocation.

SEC 12. When one thousand dollars shall be expended on the claim of a company in this district, the ground so claimed by the company shall be deemed to belong in fee to the owners thereof and their assignees, and the same shall not be subject to relocation by other parties ever afterwards, except by acknowledgment of by the company of the ground.

SEC. 13. Each claim or claims shall make at the time of record, with stakes or stone, monument or dirt mounds at each end of their location.

SEC 14. The Recorder shall go upon the ground with any and all parties desiring to locate claims and record the same.

SEC— 15. All claims located and recorded before the 1st day of September, 1863 shall not be subject to relocation untill after said date

SEC 16 An election of officers shall be held at a place within this District, to be designated by the President, in one year from the date of the adoption of the rules and laws. A Vacancy may be filled by an election, upon the call of the President, at any time by giving ten days notice.

All officers shall hold their office untill their successors are duly elected and qualified.

SEC. 17. Each claim of two hundred feet shall do work to the amount of sinking a shaft cut or tunnel, three feet in dirt or one foot in rock per month, after the 1st day of September 1863, any company sinking a shaft, cut, or tunnel to the depth of twenty feet shall be exempt from further labor untill the 1st day of May 1864, claims not complying with the above shall be considered as abandoned.

SEC. 18. These rules or mineing laws may be altered or amended by a two third vote of those owning claims in the District, at any time after twenty days notice of said intention shall be given in any newspaper in the territory and shall have been posted in three places in this District.

D. B. RATHBONE, *President*

GEO. F. BLISS *Secretary.*

At a meeting of the miners of Union District held at the Recorder's office in Milton. Lander Co. N. T. October 20th 1863 E. C. Leadbetter President Geo. F. Bliss was nominated Secretary of the meeting and elected.

It was mooved and seconded that Sec. 17 of the by-laws be suspended till the 1st day of June 1864 Carried

It was mooved and seconded to suspend work on all claims and the claims in this District shall not be subject to relocation untill the 1st day of June 1864. Carried

It was mooved and seconded that a stake placed on the Original location with the name of ledge and date of location shall be sufficient to designate the location of said ledge till the 1st day of June 1864. Carried

It was mooved and seconded that the proceedings of the meeting be published in the Rees River Revilee for one week. Carried.

It was mooved and seconded that the meeting adjourne Carried.

G. F. BLISS. *Secty.*

IONE CITY *May 30th* 64.

At the annual miners meeting held this day, the following laws were adopted for the ensuing year and officers elected President ——— Southworth Secretary Peter. C. Turner.

SEC 1st This district shall be known as the Union Mining District and to be bounded as follows to wit, commencing at the southwesterly boundary of Barnes Park District, thence south twenty miles thence east to Reese River thence north to the southeasterly boundary of said Barnes Park District, thence westerly along said boundary of Barnes Park District to place of beginning.

SECT 2. same as Sec 2. laws of '63.

SECT 3. same as Sec 3. laws of '63.

SECT 4 same as Sec 4 laws of '63, with this added "and it shall be the duty of the Recorder to deliver to his successor in office all Books, Papers Records, &c. belonging or pertaining to his office

SEC. 5. same as Sec. 5. laws of '63.

SEC. 6. same as Sec. 6. laws of .63

SEC 7. same as Sec. 7. laws of 63.

SEC. 8. The locator of any lead or lode in this District shall be entitled to hold on each side of the lead or ledge located by him or them, fifty feet, but this shall not be construed to mean any distinct or paralell ledge within the one hundred feet, other than the one originally located.

SEC. 9. All locations shall be made by a written notice posted upon the ground and boundaries defined and all claimants names posted on the notice

SEC 10. Work done on any tunnel cut, or shaft or drift in good faith shall be considered as being done by such claim or claims owned by such persons or companies.

SEC 11. Same as Sec. 10 laws of '63.

SEC. 12. There shall be done for every claim of two hundred feet held by any person persons or company, two days work for each and every month which shall hold said claim for thirty days thereafter. But nothing in this Section shall be so construed as to prevent said person persons or company from doing the requisite amount of work, at any one time, to hold their claims for six months.

SEC 13. All locations upon which work has been done to the amount of one hundred dollars shall not be subject to relocation for the space of three months from the adoption of these laws.

SEC. 14. Same as Sec 12. laws of '63, with this added, "which shall be construed to mean an entire abandonment after laying idle for one year, except in cases where claims are in litigation

SEC 15. There shall be a mineing Recorder elected on the last Monday of May 1865 who shall hold his ffice for one year from the 1st day of June next following, unless sooner removed by a new election which can onely be done by a written call signed by at least fifty claim holders, giving notice of a new election to be held after said notice shall have been posted and published for at least twenty days in some newspaper nearest this district and the Recorder shall be a resident of the District.

SEC 16. These Rules or Mineing Laws may be altered or amended by a two-third vote of those present at any meeting in the District at any time after twenty days notice of such intention shall have been given in the manner prescribed above for the calling of a new election for Recorder.

SEC. 17. Companies failing to express the full amount requisite to hold a full location. shall indicate the portion forfeited when called upon by the District Recorder so to do.

SEC 18. These laws shall take effect on and after the 1st day of June A. D. 1864. and all laws passed or conflicting with these are hereby appealed

G. W. MERRILL
B. F. SNYDER
C. M. BAKER.
G. B. HAIGHT
P. COLMAN.
Committee on By-Laws

Regular annual meeting held at Pioneer Saloon. Ione. Monday May 27th 1872, and the following officers were duly elected for the ensuing year. F. R. Hall. President J. H. Williams Secretary. James Duckett Recorder.

On motion and by unanimous vote the following alterations were made in the By laws. viz

SECT. 15. "50 claim-holders etc. etc." amended so as to read "Ten (10) claim-holders may call a meeting to elect a Recorder. by posting three (3) notices in the most conspicuous places in the District for Ten (10) days previous to the election and the Recorder shall be a resident of the District"

GEO. W. VEATCH *Secretary*

UNION MINING DISTRICT *June 17th* 74.

Persuant to a call made by ten (10) claim-holders and notice duly posted as required by law The miners of this district met at Langworthy's store in Ione at 8. P. M. June 17th 1874.

On motion J M. Cammack was chosen temporary chairman and Geo. W. Veatch Secretary.

The meeting being organized proceeded to business

It was unanimously voted that the following persons act in their respective offices for the District for the year President. J. M. Cammack Secretary Geo. W. Veatch. Recorder. Jas. F. Duckett

It was unanimously voted that the U. S. Mining Law be adopted and all Laws now on the Records of the District conflicting with said law, be and are, hereby repealed.

It was unanimously voted that the fees of the Recorder shall be for recording a location—Three dollars and fifty cents 3^{50} and fifty (50) cents mileage outside of the immediate vicinity.

On motion the meeting adjourned

GEO. W. VEATCH *Secretary*

LANDER COUNTY.—SUMMIT MINING DISTRICT.

[Reese River Reveille June 24th 1863.]

MINING LAWS OF SUMMIT MINING DISTRICT.

Pursuant to public notice the miners of Pleasant Valley met and held a meeting June 19th 1863. for the purpose of forming a new District, and electing a Recorder.

S. J. Davis was called to the chair and R. Y. Anderson elected Secretary.

On motion Dr. M. J. Goodfellow, Thos. H. Hughes and E. Parker were elected a committee to draft rules and laws defining the boundaries of this District, and for the government of the same.

The Committee reported the following rules and laws, which on motion were unanimously adopted.

On motion the Secretary was instructed to collect money and have the same published

On motion the meeting adjourned sine die.

S. J. DAVIS, *President.*

R. Y. ANDERSON. *Secretary.*

PLEASANT VALLEY *June 19th* 63.

This district shall be known as Summit Mining District and shall be bounded as follows to wit; on the north by the ridge dividing the waters of Big Creek and Smoky River; on the east by the summit of the mountain dividing Smoky Valley from Pleasant valley; on the south by the ridge dividing the Waters of Smoky River and Pine Nut creek; on the west by the water of Smoky River and Reese River, including all the country drained by Smoky River

SEC. 2. There shall be a mining recorder elected on this, the 19th day of, June, for this district, who shall hold office for one year from the 20th of June 1863. unless sooner removed by a new election which can only be done by a written call signed by at least 20 claim-holders, giving notice of a new election to be held after said notice shall have been posted and published for at least 10 days in some newspaper, published in or nearest to this District; and the Recorder shall be a resident of this District.

SEC 3. It shall be the duty of the Recorder to keep in a suitable book or books a full and truthful record of all public meetings; to place on record all claims brought to him for that purpose, when such claim shall not interfere with or affect the rights and interests of prior locations, recording the same in the order of their date. It shall also be the duty of the Recorder to keep two indexes; one setting forth the names of the ledges and location, the other the names of individuals and the company they own in. It shall also be his duty to place upon the records of this District, without charge, when requested to do so, by the owners of the same, provided such claims are recorded in this district, within 30 days after the passage of these laws, and said claims shall be protected by the laws of this District when so recorded.

SEC 4. Same as Sec. 5. Santa Fee Laws

SEC 5 Same as Sec. 6. Santa Fee Laws

SEC 6. Same as Sec. 7. Santa Fee Laws

SEC. 7. Same as Sec. 8. Santa Fee Laws.

SEC 8. All locations shall be made by a written notice posted upon the ground or within one hundred feet of the claim and all claimants names posted on the notice

SEC. 9. Work done on any tunnel, cut, shafts or drifts, in good faith shall be considered as being done upon the claim owned by such person, persons or company.

SEC 10. Every claim (whether by individual or by company) located shall be recorded within fifteen days after date of location

SEC 11. Any company who shall run a tunnel five feet, running measurement, for the purpose of striking their ledge at a greater depth than the surface, or shall sink a shaft five feet on the claim, it shall be deemed sufficient work to hold the ledge or lode of said company for one year, provided the said shaft, incline or tunnel shall be completed by the 1st day of September 1863. Any location made after the first day of August 1863, shall be entitled to thirty days to sink said shaft or incline, or to run said tunnel, under the above provisions

SEC 12. Same as Sec. 12, in Laws of Santa Fee District with this addition—"which shall be construed to mean an entire abandonment, after laying idle for one year, except in cases where claims are in litigation

SEC 13 The Recorder or his deputy shall go upon the ground with any and any and all parties desiring to locate ledges and shall be entitled to fifty cents for each and every claim that he may record.

SEC 14. All parties holding claims located after the first day of September 1863, in the District, shall be entitled to thirty days after recording such claims before working them; and they will not be liable to relocation by other parties during that period

SEC 15. All persons locating tunnel claims for the purpose of discovering blind ledges, shall be entitled to four hundred feet on each side of their tunnel. The locating and working of such claims shall be governed by the same laws that apply to other mining claims in this District

SEC 16. An election of officers shall be held at a place within this district, to be designated by public notice of the Recorder, in one year from the adoption of these laws and rules No person shall be allowed to vote after the adoption of these laws, except such person be an actual owner of a claim in this District.

SEC 17. These rules and mining laws may be altered or amended by a two-thirds vote of those present, at any meeting in the District, at any time after twenty days notice of such intention shall have been given in the manner prescribed above for calling a new election for Recorder.

SEC 18. These laws shall take effect on and after the 20th day of June A. D. 1863

S. J. DAVIS *President*

R. Y. ANDERSON. *Secretary*

LANDER COUNTY.—BUNKER HILL MINING DISTRICT.

[Reese River Reveille Aug 19th 1863.]

LAWS OF BUNKER HILL MINING DISTRICT

At a meeting held at Big Smoky Creek August 7th 1863. for the purpose of forming a new district and mining laws, the following articles and resolutions were adopted, to wit;

Resolved. That this be called the Bunker Hill Mining District, the boundaries of which are as follows. Commencing at a point about one mile north of Big Smoky Creek and running westerly adjoining Santa Fee District to the summit or dividing range; thence south along said divide six miles; to a rocky ridge known as the Needles; thence easterly down the ridge to Smoky Valley; thence along said valley to the place of beginning

ART 2. There shall be a mining Recorder elected on the first day of May next for this District, who shall hold office for one year; and until such election is held. Wm. H. Clow is appointed Recording Secretary of said District.

ART. 3. It shall be the duty of the Recorder to place on record all claims brought to him for that purpose, when such claims shall not interfere with the rights of others, recording them in the order of their date, for which he shall receive fifty cents for each claim, or if desired to go upon the ground, shall be entitled to fifty cents more for each claim so recorded

ART 4. The Recorder shall have power to appoint a deputy to act in his stead, for whose official acts he shall be held responsible, It shall also be the duty of the Recorder or Secretary to deliver up to his successor in office all the books, records, papers etc, pertaining and belonging to his office.

ART. 5. Same as Sec. 6. Santa Fee Laws

ART. 6. Same as Sec. 7, Santa Fee Laws.

ART 7. All locations shall be made by a written notice posted upon the ground, with boundaries defined and all the claimants names posted upon the notice

ART. 8. Every claim located shall be recorded within ten days after the date of location, which shall be deemed sufficient to hold and secure said claim until the first day of May next.

ART 9. These rules or mining laws may be altered or amended by a two-thirds vote of those present at any meeting in the district, after twenty days notice of such intention shall be given by advertisement in some newspaper published in or nearest to said District, or the laws and regulations of said district be more fully and definitely set forth at the election aforesaid, to be held on the 1st of May next, 1864.

G. J. TANNEHILL. *President*

W. H. CLOW, *Secretary.*

LANDER COUNTY *Aug* 7th 63.

LANDER COUNTY.—MARYSVILLE MINING DISTRICT.

[Reese River Reveille Supplement October 28th 1863.]

BY-LAWS OF MARYSVILLE MINING DISTRICT. ADOPTED OCT 13TH 1863.

MARYSVILLE CAÑON *Oct 13th* 63.

At a meeting of the miners of Marysville Cañon held pursuant to notice, H. C. Patrick was called to the chair and N. T. Smith duly elected Secretary.

The chairman stated the object of the meeting to be for the purpose of organizing a new mining district.

On motion of H. J. Kingman. A. J. Hewitt was duly elected Recorder of this district to hold office until his successor is elected in accordance with the By-Laws.

On motion Geo. H. Willard. J. B. McDonald and Mr Murat were appointed a committee to draft By-Laws for the government of the District, they made a report which was adopted as follows.

SEC 1st This district shall be known as the Marysville Mining District and shall be described and as follows to wit: commencing at the south-west corner of Washington district and running thence southerly along the foot hills a distance of about twelve or fifteen miles, to the south fork of the east branch of Reese River, running thence Easterly up said stream to the summit of the mountains thence northerly to the south-easterly corner of Washington District to the place of starting

SEC. 2. There shall be a Mining Recorder elected on the first day of July next, who shall hold office for one year after his election, unless sooner removed by a new election which can only be done by a written call signed by at least fifty claim-holders giving notice of a new election to be held after said notice shall have been posted and published for at least twenty days, in some newspaper published in or nearest this district and the Recorder shall be a resident of the District

SEC 3. same as Sec. 4. Santa Fee Laws It shall also be the duty of the Recorder to deliver to his successor in office, all books, records, and papers etc belonging to or pertaining to his office,

SEC 4. Same as Sec. 5. Santa Fee Laws

SEC. 5. Same as Sec 6. Santa Fee Laws

SEC. 6. Same as Sec 7. Santa Fee Laws.

SEC 7. The locator of any lead, ledge, or lode in the district shall be entitled to hold, on each side of the lead, lode or ledge, located by him or them, one hundred feet; but this shall not be construed to mean any distinct or parallel ledge, within the two hundred feet, other than the one originally located.

SEC 8. All locations shall be made by a written notice posted upon the ground and boundaries defined and all claimants names posted on the notice.

SEC 9th Work done on any tunnel, cut, shaft or drift in good faith, shall be considered as being done upon the claim owned by such person or persons.

SEC 10th Every claim (whether by individual or company) located shall be recorded within ten days after the date of location

SEC 11th There shall be done for each and every claim of two hundred feet, held by any person, persons or company, one days work for each and every month, which shall hold said claims for thirty days thereafter, but nothing in this section shall be construed so as to prevent said person or company from doing the requisite amount of work at any one time to hold their claims for three months

SEC 12. Whenever one thousand dollars shall have been expended on the claims of a company in this district, the ground so claimed by the company shall be deemed as belonging in fee simple to the locators thereof and their assigns and the same shall not be subject to location or relocation by other parties forever after except by an acknowledged abandonment after laying idle for one year except in case where claims are in litigation

SEC 13. The Recorder shall go upon the ground with any and all parties desiring to locate claims and shall be entitled to receive for such service say for a company of six or more names three dollars and for each location, numbering less than six names, fifty cents each, and it shall be his further duty to measure any claim or claims and make or cause to be made, sufficient landmarks defining said claim or claims and he is prohibited from making and location for any person, persons or company without complying with this section and seeing their boundaries fully defined.

SEC 14. These rules or mining Laws may be altered or amended by a two-thirds vote of those present at any meeting in the district at any time after twenty days notice of such intention shall have been given in the manner prescribed above, for calling a new election for Recorder.

On motion of A. J. Hewitt it was resolved that working of claims be laid over until the 20th of June next when section 11th regarding the working of claims shall take effect, the balance of the By-Laws to take effect immediately.

H. C. PATRICK *Chairman*

N. T. SMITH, *Secretary.*

WASHOE COUNTY.—ALUM CANON MINING DISTRICT.

BY LAWS OF ALUM CANON DISTRICT

Art 1st At a Meeting of the Citizens of Alum and Newton Canon and the Respective Shareholders of Mining ground in said Vicinity called by Previous notice given to form a Mining District.

On Motion E. McCrery was Called to the Chair to act as President of said Meeting and Wm Wallace was duly Elected to act as Secretary.

2d On Motion it was Resolved to form a Mining District Extending East from the House of J. A. West at the foot of the Geiger Grade to the Summit on the line of the Castle Rock District South to the line of the Argentine District, West to Steam Boat Springs North Two Miles from said J. A. West's House.

3d On Motion J. A. West was Elected Recorder of said District for the period of six months or till his successor should be Elected.

4th On Motion of J. McLaughlin it was Resolved to Call the same Alum Canon District.

5th On Motion of Joseph Everet it was Resolved the Recorder be allowed fifty cents for each and every name Recorded.

6th On Motion Resolved that each Claimant be Allowed Two Hundred feet and the Discoverer Two Hundred feet for Discovery.

7th On Motion of J. McLaughlin it was Resolved that each and every Claimant or Company be Allowed ten days to Record their Claims.

8th On Motion of Mr. A. Gibson Resolved that in order to secure a Claim their be Twelve dollars worth of work done to each share inside of thirty days from the date of Record.

9th On Motion of J. Everet Resolved their be forty Eight dollars worth of work done on each claim or share in side of six months at the Expiration of thirty-days after the date of Recording.

10th On Motion of J. Everet the meeting adjourned to meet at the Call of the Miners of said District by Notice.

ALUM CANON DISTRICT WASHOE CO NEVADA TERRITORY
WESTS STATION FOOT OF GEIGER GRADE *December 3d* 1863

STOREY COUNTY.—AMERICAN FLAT MINING DISTRICT.

MINERS MEETING—BOUNDARY OF DISTRICT:

At a Meeting of the Miners of the above named District, the Chairman of the Committee of the above District elected to determine the Boundary of the same, submitted the following which was unanimously adopted, February 24th 1864.

The initial points, or points of Departure, shall commence at a certain point on the hill situated at the eastward of American Flat. The said Hill separating the Gold Cañon from American Cañon, or the nearest spot to that point, where the Western Line of the Devil's Gate Mining District shall intersect. And extend thence N. W. by compass or near that point to a prominent Bluff of Rock West of the Ophir Grade, continuing in that direction until it intersects the eastern line of the Argentine Mining District at the head of Crown Point Ravine, centrally cropping the Flat where the water flows—into the American Flat on the South and into a Ravine which empties into Gold Cañon on the North. From the line of Demarcation, on the N. W. corner, the boundary shall run as follows, viz: in a South Westerly direction along the Eastern line of the Argentine District to the N. W. corner of the Blue Sulphur Spring Mining District, thence in an Easterly direction on the Northern Line of the Blue Sulphur Spring District to the Western Line of the Devils Gate Mining District, and thence to the point of Departure

A true copy

W. K. WEARE"

ELECTION OF DISTRICT RECORDER.

The following is a true copy of the Election Returns, at a public meeting of the citizens of American Flat to choose a Recorder for the District. The polls being held at the office G. K. Reed & Company, February 25th 1864.

Names of Candidates	Number of Votes cast	Names of Candidates	Number of Votes cast
W. K. Weare	115	J. B. Ware	2
J. C. Spencer	101	J. C. White	8
W. S. Robinson	27		
F. Dowell	12		265

We the undersigned hereby certify the above is a true and reliable list of the votes polled this day in American Flat for Recorder. And we declare W. K. Weare duly elected

American Flat Feb. 25th 1864

S. H. BROWN, *Inspector* J. MCPECK &
F. FAULKNER, *Judge* WM. HUNT, *Clerks*

W. K. WEARE *Recorder*"

"MINING LAWS OF THE AMERICAN FLAT MINING DISTRICT.

ART. 1st—No person shall hold more than one claim on any Ledge by Location.

ART 2nd—No Quartz Claim Located shall exceed (200) feet in Length, including Dips, Spurs & Angles. But any discoverer shall be entitled to an additional claim for discovery:

Art. 3—All Quartz Claims shall be duly Recorded within five days of the time of Location.

Art. 4th—All persons locating claims shall define the same by Stakes at the ends of the same, Give the name of the Company, and the number of feet claimed.

Art. 5th—All claims shall require the amount of three days work for each and every claim, on each and every Month, or Labor to the value of Fifty dollars which shall hold one claim for Six Months.

Art. 6th—All hill and gulch claims shall be two hundred feet square each—defined by stakes at each corner—and shall be recorded within five (5) days from the time of Location

Art. 7th—All claims shall be worked within thirty (30) days from the time of Location

Art. 8th—There shall be a Recorder elected to hold office during the pleasure of the Miners.

Art. 9th—The duty of the Recorder shall be to keep in a well bound Book the Record of all the Mining claims presented to him for Recording, The Names of parties Locating, or purchasers, The number of feet claimed and where Located and Situated.

Art. 10th—The Recorder shall go on the ground and set the Stakes defining the boundary of the claims, and shall receive the Sum of Seventy-five cents for each claim

Art. 11th—The Recorder Shall not record any claim already Recorded and Legally held.

Art. 12th—No Chinamen shall hold or work any claim in this District.

Art. 13th—It shall be the duty of the Recorder to keep the books of Record in a Safe place and allow the Public to examine the same in his presence.

Art. 14th—The laws as adopted shall go into effect, and be in force from this day.

Copied from the Original by

W. K. WEARE *Recorder*"

In 1865 this district was merged into the Gold Hill Mining District.

LINCOLN COUNTY.—ELY MINING DISTRICT.

Meeting held 18″ day of March 1864 at Meadow Valley—Wm Hamblin was called to the chair & Stephen Sherwood was appointed Secretary—The chairman stated the object of the meeting to be for the purpose of organizing a mining Dis't. S. N. Vandermark presented a code of laws to govern & control the mining operations which were accepted—The boundary of the Dis't as fixed in the laws then adopted, was as follows—Commencing at Warm Spring at the head of Meadow Valley, Washington County Utah Trt'y & run due south 30 miles; due north 30 miles; due east 30 miles & due west 30 miles from the aforesaid Warm Spring, making 60 miles square Each locator permitted to hold 200 feet on the course of the lode, with a width of 500 feet on each side of the lode including all its dips spurs angles, widths offshoots outcrops variations & all the minerals & other valuables therein contained—The discoverer & locator of a lead being entitled to one claim extra, for discovery—All claims shall be measured on a horizontal line & numbered 1. 2 & 3 etc from the discovery claim either way—Each company must do one days faithful work on their claim, each month after the same shall have been located one year; on failure to do so, the claim or claims shall be subject to relocation by any other person—provided however that if the company are prevented from working by local insurrection or rebellion, a failure to do so will not forfeit the claim (Repealed July 15″ 1865) Stephen Sherwood was elected recorder of the Dis't to serve for one year from the 18″ day of Mch 1864—

March 11th 1869

At 10 am meeting was called to order & E. Martin Smith elected chairman & J. McNeil Sect'y—

The chairman stated the object of the meeting to be to take into consideration the propriety of enacting a new set of laws & such other business as might be properly brought before it—On motion the chairman appointed the five following gentlemen as a committee to draft a new set of By-Laws—To wit—T. J. Townsend J. W. Williamson C. E. Hoffman, J. H. Ely & J. McNeil who retired & on deliberation reported the following laws which were adopted in open meeting—

Art 1st This district shall hereafter be known as the Ely District situated in Lincoln County State of Nevada & bounded as follows commencing at a point five miles east of Mountain Spring thence south five miles establishing south east corner of said district West ten miles establishing the south west corner of the Dist, thence north ten miles establishing the north west corner of the dis't thence East ten miles establishing the north east corner of said dis't, thence south five miles to place of beginning. Courses true Magnetic variation 15° 42′ containing one hundred square miles—

2d The extent of a quartz lode or mineral vein shall be two hundred feet horizontal measurement to the claim along the lode with a width of one hundred feet on each side of the lode including all its dips, spurs, depths, & widths, offshutes & outcroppings & all the minerals & other valuables connected within the same lode—The Discoverer & locator of a claim being entitled to one claim extra for discovery—

3d No person will be permitted to hold more than one claim by location on any one vein—By purchase any number of claims may be held—

4th It shall be optional with parties locating claims whether they locate their claims segregated or in company—

5th All examinations of Records must be in presence of the Recorder or his deputy

6th Every claim whether by an individual or by a company shall be recorded within ten days after date of location, otherwise subject to relocation—

7th On application to record a claim it shall be the duty of the Recorder to visit the same before recording in order to ascertain whether said location conflicts with any prior location & if so he shall refuse to record the same—

8th An election shall take place on the 4th of March of each year for the purpose of electing a Recorder & the Recorder shall call all special meetings by application of no less than ten persons owning mining interests in the dis't who shall present to the recorder their wishes in writing and the object of the meeting shall be duly specified in said application & it shall be the duty of the Recorder in

all cases to post notices containing the specified object of the meeting in three conspicuous places in the Dis't at least 20 days previous to the time of such meeting & all meetings—whether special or annual—

9th No person shall be permitted to vote in this dis't under these laws unless he has been a claim holder for ten days previous to the election—

10th The fees of the Recorder shall be as follows for recording each claim he shall receive the sum of fifty cents & for each certificate of record the sum of fifty cents & for each certificate of work twenty-five cents—

11th In locating a claim or claims a notice or notices shall be posted in one or more conspicuous places stating the number of claims taken up together with the name or names of the claimants & the direction of the lode as near as possible & extent of such claim from notice & the date of the location of the same—

12th It is requisite for each owner of a claim to perform one days work on same within sixty days from the location thereof in order to hold the same for the term of one year from the date of location. Parties holding segregated interests in any lode may join together and perform said work on a part of their lode—If the above conditions are not complied with said claim or claims are considered abandoned and subject to relocation—

13″. It shall be the duty of the Recorder to keep in a suitable book or books a full & truthful record of all meetings, to place on record the notice of all claims, brought to him for that purpose recording the same in the order of their dates, to keep on file all original papers until called for. It shall also be the duty of the Recorder to keep his books of office open at all business hours for inspection by the public. He shall also have the power to appoint a Deputy to act in his stead for whose official acts he shall be accountable—

14″ The laws of this dis't may be changed or new ones inserted after due notice by a two third vote of those holding claims in the dis't—

15″ It shall be the duty of the Recorder if called upon to go on the ground & examine work done to hold claim as presented in art No 12 & issue certificate of the same—

16″ Whenever any owner or owners of mining property in this Dis't shall have already erected reduction works or mills for the working of ores previous to this date or shall hereafter commence the erection of such reduction works, such parties shall have the privilege of applying such expenses already made on their lodes or veins and be considered bona fide holders of said mining ground which shall not be subject to relocation by any foreign parties other than the owners—

On motion ballot was held for recorder for the ensueing year & Thomas S. Grieves having rec'd a majority of all votes cast was declared elected Recorder for the ensuing year—

Mr T. J. Townsend read the following which was received, name adopted & thanks of the meeting voted to Mrs S. E. E. Williamson

MEADOW VALLEY *Feb 20th* 1869

Messrs. SMITH, TOWNSEND, MCNEAL & OTHERS *locating the "City of the future"*

GENTLEMEN—With many thanks for the compliment allowing me to suggest a name for your city I offer for your consideration "Pioche"

Most Respectfully

S. E. E. WILLIAMSON

There being no further business on motion the meeting adjourned *sine die*—

STOREY COUNTY (*formerly Humboldt*).—PINE-WOOD MINING DISTRICT.

BY-LAWS OF THE PINE-WOOD MINING DISTRICT HUMBOLDT COUNTY, TERRITORY OF NEVADA.

SEC. 1st—This District shall be known as the Pine-Wood Mining District, situated and embracing that portion of Humboldt County lying between the Humboldt mines and Reese River and described and bounded as follow (viz) beginning at a Point in Pah-Utah Cañon known as Piute Jim's Ranch, near an old Indian Fort and Running thence east to the summit of the mountain at a point where the old Piute trail crosses the summit; Thence along said trail in a northerly direction some Ten miles more or less to where said trail leaves the mountains and goes on the Valey Thence in a westerly and southerly direction along the Base of the mountains until it Reaches the mouth of the aforesaid Pah-Utah Cañon thence up the same to the place of beginning.

SEC. 2nd—All the resident miners shall be entitled to vote at any miners meeting in this district.

SEC. 3rd—A District Recorder shall be elected on the first day of May in each year by a majority of voters voting at such Election (said voting to be by ballot). He shall Enter upon the duties of his office on the twentieth day of the same month, and shall hold the same one year from that date or until his successor is Elected and enters upon the duties of his office.

SEC. 4th—It shall be the duty of the Recorder to keep the Records of the district, with Indices to the same. Such Record shall embrace the proceedings of all miners meeting, all notices of mining location made and filed with the Recorder for record, with the names of parties locating the same, number of feet located, where located, date of location etc: also the record of all mill sites Water Privileges and Timber ranches, for mining purposes; the record of which shall be deemed sufficient to hold the same for one year from location.

SEC. 5. At the expiration of the term of his office the recorder shall deliver to his successor in office all Books papers and records belonging to said office.

SEC. 6th Before Recording as directed in Sec. 4th The Recorder shall require a map, plan or specification of the mill site, water or wood privileges or other claims pertaining to the mining Interest of said district to be placed on file in his office

SEC. 7th Nothing in Section 4th shall be so construed as to prohibit the necessity of parties locating mining claims on Quartz Ledges, attending to them. When such location is recorded in the Record book of the district, that shall be sufficient to hold the same for six months, but at the expiration of six months if the claim has not been worked or is not represented by some of the party, or agent, then upon the claim, it shall be subject to re-location.

SEC. 8th—It shall be the duty of the Recorder to issue certificates of any and all claims which are placed on file when the same has been paid for in accordance with the laws of the district when such certificate is demanded.

SEC. 9th—The Recorder shall be entitled to the following fees, for his labors for Recording a claim of Three hundred feet or less one dollar for each Notice one dollar for each deed two dollars for each Transfer fifty cents for each certificate issued Two dollars.

SEC. 10—When notice of a re-location of any claim is filed with the recorder it shall be his duty to give public notice of such filing, by a poster placed at the door of his office at least fifteen days previous to Recording the same and in Recording the same he shall state the fact of its previous location and Book, Page and Date of its previous Record.

SEC. 11th. In case of the absence or Inability of the recorder to fulfill the duties of his office he shall appoint a deputy, such appointment and the revocation of the same shall be entered upon the Record book of the district.

SEC. 12 No claim on any Quartz Lode Lead or Vein shall exceed Three Hundred feet Horizontal measurement, in length along the ledge in this district, but shall include all dips, spur, angles, and variations, also Wood and Water privileges sufficient for the working of the same and fifty feet surface measurement on each side of the ledge for working purposes; the discoverer or discoverers of any ledge shall be entitled to one additional claim for discovery.

SEC. 13th—The Recorder shall keep his Books open at any and all times for examination.

SEC. 14th The Recorder shall at the written Request of five resident miners post notices in three or more conspicuous places in the district one of which shall be at or on the door of his office calling a miners' meeting, for the purpose of changing or amending these by-Laws, or other purposes, said notices must be posted at least fifteen days previous to said meeting

SEC. 15th—All claims taken up in this district shall be made by posting notice in a conspicuous place on the claim describing as near as may be the situation and general course of the same, together with date of location names of locators, &c a copy of said notice must be filed with the Recorder with in three days from the date of location, and entered in the Record Book within ten days from such location.

SEC. 16th The owners of any Tunnel or shaft shall have the exclusive privilege of locating any and all ledges intersected by such Tunnel or shaft for thirty days from the time such ledge is struck provided shuch ledge has not been previously located.

SEC. 17th In case of conflicting claims, a miners meeting shall be called by posting notices as in other cases of calling miners meetings at least fifteen days previous to the one on which the meeting is to convene and the miners when convened at said meeting shall hear the evidence on each side, and determine the merits of each claim."

At a miners meeting held on the twenty eighth day of April in the year of our Lord one Thousand eight hundred and sixty-four in, Pine-Wood District Humboldt County Territory of Nevada Wm M. Hurst being elected President and John W. Garner secretary the preceding by-Laws were approved and adopted and after appointing Wm M. Hurst Inspector, and Joseph Andrew, & James Walter Judges and John W. Garner Clerk of Elections The meeting proceeded to the Election of a Recorder.

W. M. HURST, *President*

J. W. GARNER *Secretary*

ESMERALDA COUNTY.—COLUMBUS MINING DISTRICT.

ABSTRACT OF MINING LAWS OF COLUMBUS DISTRICT AS ADOPTED AUGUST 17. 1864

SECTION 1. This District shall be known as the Columbus Mining District and shall be bounded as follows: Commencing at the location mark of the Guadalupe Ledge, running North Westerly Two (2) miles and twenty (20) each way on the parallel and South Easterly to the Summit of second range of Mountains in a South Easterly direction from the place of beginning.

SECTION 2. The Officers of this District shall consist of a President, Secretary and Recorder to be elected by the persons present at a meeting of the miners of the District, and who shall hold their respective Offices for the term of one Year from the date of their election, and until their successors are elected.

SECTION 3. It shall be the duty of the President to call all meetings of the miners of the District, on the petition in writing of not less than twenty (20) claim holders in said District which call shall be made by notices posted in frequented localities in the District for a period of at least twenty (20) days previous to the time of meeting.

SECTION 4. It shall be the duty of the Recorder to keep in a suitable Book or Books a full and truthful record of the proceedings of all public meetings of the miners of the District; to place on record all claims brought to him for that purpose, when such claims shall not interfere with or affect the rights and interest of prior locations, recording the same in the order of their date, for which service he shall receive for each name of a locator the sum of One Dollar ($1.^{00}) and for each succeeding name the sum of One Dollar ($1^{00}) in any one location. It shall also be the duty of the Recorder to keep his Books open at all times to the inspection of the public. He shall have power to appoint a Deputy or Deputies to act in his stead, for whose official acts he shall be responsible. It shall also be the duty of the Recorder to deliver to his successor all books and papers pertaining to or in any way useful and necessary in his Office.

SECTION 5. All examinations of the Records must be made in the presence of the Recorder or his Deputy.

SECTION Six. Each claim located shall have a stake or stakes placed thereon. On which shall be be marked the name of Company and number of feet located. Locators will also be required to measure their ground and place stakes showing the extreme boundaries of their locations.

SECTION 7. Locators shall be required to furnish to the Recorder an exact copy of the notice posted on their claims for record. Notice of a claim or location of Mining ground by any individual or Company on file for record in the Recorders Office shall be deemed equivalent to a record of the same.

SECTION 8. Each claimant or locator in any Ledge in this District shall be entitled to hold by location Two Hundred (200) feet with all the dips, spurs, angles, offshoots, outcrops, depths widths variations, and all the minerals and other valuables therein Contained. The discoverer and locator of a new Ledge or Lode shall be entitled to one claim of Two Hundred (200) feet extra for discovery. The locator or locators of any Lode or Ledge shall also be entitled to hold (100) one hundred feet on each side of the Lode or Ledge together with all the mineral (whether in distinct Ledges or otherwise) therein Contained.

SECTION 9. Where any Lode or Ledge in this District shall cross a stream of water, the owners thereof shall not be deprived of the use of the water in said stream, but shall have the full and free use of the same for the purpose of working and developing their Mine. They shall also have the use and benefit of all Timber within the boundaries of their location for the same purpose.

SECTION 10. All locations shall contain the names of claimants or locators, and no claim shall be subject to relocation from and after the adoption of these Laws except by an acknowledged abandonment in writing from all parties interested

SECTION 11. It shall be the duty of the Recorder or his Deputy to reside in the District within one year

SECTION 12. The Recorder to live in Washington District until the District shall be sufficiently populated to be safe to remove to the above District

A Meeting of the Miners interested in said District held on the 17th day of August 1864 and Jose A Ochoa elected President. Casimiro Arteche Secretary and the above by laws unanimously adopted and C. L Benedict elected Recorder.

Washington. Lander County N. T. 17th day 1864

JOSE A OCHOA *President*

CASIMIRO ARTECHE *Secretary*

I hereby certify the above abstract from the Records of Columbus Mining District Esmeralda County Nevada to be a true Copy. Book "A" Fol 1. 2 & 3.

GEO R CUSHING *Recorder*

CANDELARIA NEV *April* 24. 1880

ABSTRACT

At a Meeting of the Miners of the Columbus Mining District Esmeralda County State of Nevada. held at said District the 28*th day of November A. D.* 1865,

The following amendments to the Laws of the District were offered by a committee of five consisting of Frank Durand George Doherty Edmund Griffin. Edwin Brown and A Hauke duly elected by the miners of said District, Alsop. J. Holmes in the chair and T. N. Brown Secretary.

Meeting called to order and the following unanimously passed

SECTION 1. Section 1 is hereby amended so as to read.

SECTION 1. This District shall be known as the Columbus Mining District and shall be bounded as follows, To wit, On the North by the Old Virginia Salt Marsh, On the West by Capt: Teels Salt Marsh, On the South by Fish Lake Valley, and on the East by the Summit of the Monte Christo Mountain.

SECTION 2. Section Two is amended so as to read as follows.

SECTION 2. There shall be elected by the qualified electors of the District a Recorder who shall hold his office for the term of one year from the date of his election and until his successor shall be elected and installed.

SECTION 3. Section Three is amended so as to read as follows

SECTION 3. It shall be the duty of the Recorder to call all meetings of the Miners of the District on the petition in writing of at least twenty claim holders of the District, which shall be made by Notices posted in public localities of the District for a period of at least Twenty (20) days previous to the time of said meeting.

SECTION 4. Section four is amended so as to read

SECTION 4. The Recorder shall keep in a suitable Book or Books a full and truthful record of the proceedings of all public meetings of the Miners of the District and place on record all claims brought to him for that purpose, when such claims shall not interfere with or affect the rights and interests of prior locations, Recording them in the order of their date for which services he shall receive One Dollar and fifty cents ($1.50) for each name in any one location. It shall also be the duty of the Recorder to keep his Book open at all times to the inspection of the public. He shall have power to appoint a Deputy who shall go upon the ground in the absence of the Recorder. Appoint a Special Deputy. He shall be responsible for all the Official acts of his Deputy, and deliver to his successor in Office all books and papers pertaining to or in any way useful to the Office.

SECTION 5. All examinations of the Records shall be made in the presence of the Recorder or his Deputy.

SECTION 6. Section six is amended so as to read:

SECTION 6. Each claim located shall have a stake or Mound placed thereon on which shall be Marked the name of the Company and the Number of feet claimed and located.

SECTION 7. Any Notice of Location shall be valid for the term of fifteen (15) days from the date of the same, without being recorded and after such time if not recorded shall be subject to relocation.

SECTION 8. Each locator or claimant in any Ledge in this District shall be entitled to Two Hundred feet by location with all the dips, spurs and angles, offshoots, Outcrops, depths, widths Variations, and all the mineral and other Valuables therein contained, and the discoverer and locator of a new Ledge or Lode shall be entitled to one claim of Two Hundred feet extra for discovery. The locator or locators of any Lode or Ledge shall also be entitled to hold One Hundred feet on each side of said Ledge or Lode together with all minerals, (whether in distinct Ledges or otherwise) therein contained.

SECTION 9. Where any Ledge or Lode in this District shall cross a stream of water, the owners thereof shall not be deprived the use of the water in such stream, but shall have the full and free use of the same for the purpose of working and developing such Ledge or Lode. They shall also have the use and benefit of all timber within the boundaries of their location for the same purpose.

SECTION 10. Section Ten is amended so as to read

SECTION 10. All Notices of locations shall contain the Name of the locators or claimants, and each claim of Two Hundred (200) feet shall have Ten dollars ($10.00) worth of work done on the Ledge or Lode on or before the first day of July A. D. 1866. And furthermore that Fifty Dollars ($50.00) worth of work on each claim of Two Hundred (200) feet, shall give the owner of said claim, together with a certificate of such work from the Recorder a perpetual title to the same. And for each certificate the Recorder shall receive Fifty cents for each name.

SECTIONS 11 & 12 are amended so as to read as follows: The Recorder shall have his Office in and reside in the District

SECTION 12. These Laws shall remain in full force and effect for the term of one year from this date,

Columbus November 28, 1865

ALSOP J. HOLMES *President and Chairman of the Meeting*

Attest

T. N. BROWN *Secretary*

Book "B" Fol 114, 115, 116 & 117.

MEETING OF THE MINERS AND CLAIM HOLDERS OF COLUMBUS MINING DISTRICT HELD ON THE 25TH DAY OF JUNE A. D. 1866, AT THE RECORDERS OFFICE AT 6 O'CLOCK P. M IN ACCORDANCE OF SAID DISTRICT LAW.

On motion Judge Henry Kever was appointed President and A. Hauke Secretary of the Meeting.
A motion to remain the District Laws as they are was carried.
On motion the meeting adjourned sine die

A HAUKE *Sec'y*

Book. "B." Fol 170

MINERS MEETING

At a meeting of the Miners of the Columbus Mining District, Esmerelda County State of Nevada held at said District the 1st day of August A. D. 1867, Edmund Griffin was chosen chairman and A. Hauke Secretary.

On motion the Mining Laws adopted on the 28th day of November 1865 in said District were revised and unanimously adopted and passed with amendments of Sections 3 & 10 so as to read as follows.

SECTION 1. The same as in Nov 28, 1865
SECTION 2. " " " " " " "
SECTION 3. For twenty claim holders read "Ten (10) claim holders."
SECTION 4. The same as Nov 28, 1865 except this addition, "and in no case shall the Recorder appoint a special Deputy"
SECTION 5. The same as in Nov 28, 1865
SECTION 6. " " " " " "
SECTION 7 " " " " " "
SECTION 8 " " " " " "
SECTION 9 " " " " " "
SECTION 10 " " " " " " except for the first day of July A. D. 1866 read "The first day of July A. D 1868"
SECTION 11. The same as in Nov 28, 1865
SECTION 12 " " " " " "

On motion the meeting adjourned.
Columbus August 1st 1867

EDMUND GRIFFIN *Chairman*

Attest
A HAUKE *Secretary*

Book "B" Fol 180, 181, & 182.

COLUMBUS *August* 15, 1868

On motion the mining Laws of last year was! adopted"

F. DURAND *Chairman*

L SMITH *Secy pro tem"*

Book "B" Fol 221

MINERS MEETING

At a meeting of the miners held this second day of August One Thousand Eight Hundred & Sixty Nine At the Mining Recorders Office in this Columbus Mining District

On motion of adjourning the miners meeting 20 days on account of the first day of August coming on Sunday was lost.

On motion the Mining Laws as they now stand on Record be Continued. Carried
On motion the meeting adjourned Sine die

B P HAZELTINE *Chairman*

ALSOP J. HOLMES *Secretary*

Book "B" Fol 237.

MEETING OF THE MINERS OF THE COLUMBUS MINING DISTRICT HELD AT THE HOUSE OF L SMITH AUGUST 2D 1870 FOR THE PURPOSE OF ELECTING A RECORDER AND MAKING LAWS TO GOVERN THE MINES OF SAID DISTRICT FOR THE ENSUING YEAR TO THE FIRST DAY OF AUGUST A. D. 1871.

Abe Lewis called the meeting to order.
On motion C. J. Eaton was duly elected Chairman and A Hauke Secretary of the Meeting.

On motion, adopted that the laws of the District as they now stand be readopted for the ensuing year i e to the first day of August 1871, with the exception that the words on or before the first day of July 1868 in Section 10. shall read on or before the first day of August 1871.

On motion the meeting adjourned

C. J. EATON *Chairman*

A HAUKE *Secretary*

True Copy
G. R. A. BROWNE *District Recorder"*

Book "B" Fol 252.

MINERS MEETING HELD AUGUST 2, 1871

"The old laws as they now stand being adopted for the ensuing year"

A. J. HOLMES *Chairman*

G R A BROWNE *Secretary*

Book "C" Fol 81

MINERS MEETING HELD AUGUST 2, 1872.

No change made in the local laws.
Book "C" Fol 91.

MINERS MEETING HELD NOVEMBER 11, 1873

No change made in the local laws.
Book "C" Fol 113.

I N. Farwell was elected recorder Nov 11, 1873 and held the Office until Feby 5, 1876 during which period no miners meetings were held in Columbus District.

MINERS MEETING HELD FEBRUARY 5, 1876.

No change made in local laws.
Book "C" Fol 191.

ABSTRACT MINERS MEETING COLUMBUS MARCH 22, 1877

Miners Meeting Called by F. A. Hauke Recorder.
On motion A. M. Thatcher was elected President and Wm W. Barnes Secretary.
Mining Laws read by Secretary.
On motion of N. B. Nowall,

Resolved that the Miners of Columbus Mining District adopt the Mining Laws of Congress passed May the 10th 1872 with all subsequent amendments in lieu of the local laws of the District now in force excepting that portion relating to the width of ground claimed for working purposes which shall be one hundred feet each side from the centre of the lode. All locations made previous to this date under the Laws of the United States, shall be considered legal so far as lineal feet are concerned.

Passed
On motion of T. J. Cartee it was

Resolved that the Recorder of Columbus Mining District be allowed Seven Dollars and fifty cents ($7.50) for Recording each claim instead of one Dollar and fifty cents ($1.50) now allowed.

Passed
On motion of N. B Norvall,

Resolved that a Committee of Five be elected to revise the District Laws.

Passed. And McCuen N. B. Norvall, E D Barker T. J. Cartee, D M Sutton were elected.
On motion of J. S. Mooney.

Resolved that this meeting now go into an Election for Recorder for this District

On motion Barker and Mooney were elected Judges and Wm W. Barnes Clerk
The Meeting then adjourned for one half hour pending the election.
The Election for Recorder was held in accordance with the published and posted call.
J. L. Callison recived One Hundred and three votes and D. M. Sutton received Thirty four votes. Therefore J. L. Callison was declared duly elected

A. M. THATCHER *President*

WM W. BARNES *Secretary*

Book "C" Fol 309, & 310

MINERS MEETING

COLUMBUS *March* 29, 1877

Miners Meeting Called by J L. Callison Recorder
At the request of the Committee appointed at our last meeting on By Laws, to receive their reports and take action on the same. J. L Callison as Chairman Jos F. Pointon chosen as Secretary
Minutes read of last meeting by Secretary
On motion of A. M. Thatcher that each Section of the recommended By Laws be read separately and action taken on the same. Passed.
Sections 1, 2, 3, 4, 5, 6 and 7 adopted.
On motion of A. M. Thatcher that the 8th section be amended so as to read Deputies instead of Deputy. Passed.
On motion of E. D. Barker that the 8th Section be adopted as amended. Passed
Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 adopted

On motion of J. S. Mooney that the report as read recommended and amended on the By Laws be received and adopted and the Committee be discharged. Passed.

On motion of Thos Cartee that the heretofore existing By Laws of this District are hereby repealed. Passed.

On motion of J. S. Mooney that the Meeting adjourn *Sine die.* Passed.

J. L. CALLISON *Chairman*

JOS F. POINTON *Secretary*

Book "C" Fol 315

MINING LAWS

We the Committee appointed at the Miners Meeting held in Columbus on the 22d day of March A. D. 1877, to revise the local Mining Laws heretofore existing and in force in Columbus Mining District and also under the authority of Section 5 of the United States Mining Laws, Do enact as follows,

SECTION 1. This District shall be known as the Columbus Mining District in the County of Esmerelda in the State of Nevada and shall be bounded as follows, On the North by the Old Virginia Salt Marsh, On the East by the summit of the Monte Christo Mountains On the South by Fish Lake Valley, and on the West by Capt Teels Salt Marsh.

SECTION 2. There shall be elected by the qulified electors of the District, a Recorder who shall hold his Office for the term of one year from the date of his election, or until his successor is elected.

SECTION 3. It shall be the duty of the Recorder, at the expiration of his term of Office to surrender to his successor forthwith all Books papers and Records appertaining to the Office.

SECTION 4. The term of Office of Recorder ceases as his successor is declared duly elected.

SECTION 5. It shall be the duty of the Recorder to Call all meetings of the miners of the District on the petition in writing of at least twenty mine owners or claim owners of the District, which will be made by Notices posted in several conspicuous public places in the District for a period of at least twenty days preceding the meeting.

SECTION 6. The Recorder shall keep in a suitable Book or Books a full and truthful record of the proceedings of all public Meetings of the Miners of the District, and place on record all claims brought to him for that purpose when such claims shall not interfere with or affect the rights of others or prior locations. Recording them in the order of their date. For which services he shall receive the sum of Seven Dollars and Fifty Cents ($7.50) for each claim or location.

SECTION 7. The Recorder shall keep his Books open to the inspection of the public of the District at reasonable hours.

SECTION 8. The Recorder is empowered to appoint Deputies, for whose Official acts he is responsible

SECTION 9. The Records must and shall be examined only in the presence of the Recorder or his Deputies.

SECTION 10. Each location must be distinctly Marked on the ground, so that its boundaries can be readily traced. All records of Mining Claims, shall contain the name or names of each locator or locators, the date of location and such a description of the claim located by reference to some natural or permanent object as will identify the claim.

SECTION 11. The Recorder on application of the locator or locators, shall go upon the ground and personally inspect the work, and he then shall issue a Certificate to the locator or locators if the lawful amount of work is performed on the claim either internally or externally and also the locator is required to pay said Recorder the Sum of Five Dollars ($5.00) for said examination and Certificate. The Recorder shall itemize the same on the Records of the District.

SECTION 12. Twelve Dollars per foot (linear measure) is the lawful sum allowed for blasting rock in a drift winze or shaft and Six Dollars per foot (linear measure) is the lawful sum allowed for picking ground in a drift winze or shaft of ordinary size.

SECTION 13. Unless One Hundred Dollars worth of work is done on each and every claim in each year, the claim is subject to relocation

SECTION 14. All claims of Gold and Silver bearing Quartz cannot exceed fifteen hundred feet (linear measure) along the length of the course of the croppings of said claim. No claim shall exceed One hundred feet on each side of the centre line of the Ledge.

SECTION 15. Each claim shall be accurately measured and a Stake or Mount be erected at both ends of the claim.

SECTION 16. Where a Tunnel Site is located for the purpose of intersecting or connecting with a Lode or Ledge, already discovered or for the discovery of undiscovered Lodes or Ledges, bearing Mineral is subject to Section 4 of the United States Mining Laws.

SECTION 17. The time allowed from the day of locating a claim to the time necessary to record said claim, shall not exceed fifteen days.

SECTION 18. On application of twenty Mine Owners the Recorder must call a meeting at any time for the purpose of considering any Official misconduct or dereliction of duty on the part of the Recorder, and if such is sustained by competent witnesses, the miners then and there shall call a miners meeting for the election of a Recorder.

SECTION 19. The regular Annual Meeting of the Miners of this District for the purpose of electing a Recorder shall take place on the third Tuesday of March each year. And it shall be the duty of the Recorder to call an election that day, and also he shall post notices of said meeting in several public places, twenty days prior to the election.

SECTION 20. The foregoing laws shall take effect and be in full force on and after the thirtieth of March A. D. 1877.

We the undersigned, the Committee appointed at a Miners Meeting held at Columbus, in Columbus Mining District Esmerelda County State of Nevada March 22, 1877, to revise the local laws previously existing and in force in said District most respectfully submit the above to the consideration of this meeting.

J. A. McCUEN *Chairman of Committee*
N. B NORVALL
E. D. BARKER
T. J. CARTEE
D. M. SUTTON

I hereby certify that this is a true and correct copy of the original approved and adopted by the Miners at our last Meeting called for that special purpose or occasion.

J. L. CALLISON *Mining Recorder*

Book "C" Fol 316, 317, 318 & 319.

I hereby certify the above abstracts to be true and Correct Copies of the Local Laws of Columbus Mining District Esmeralda County Nevada.

[SEAL] GEO R CUSHING *Recorder*

CANDELARIA NEVADA *November* 13, 1880

CANDELARIA COLUMBUS MINING DISTRICT *March* 18*th* 1879

Pursuant to the Mining Laws of the District, the annual meeting was held this day for the purpose of electing a Recorder for the ensuing year and the transaction of such other business as may be properly brought before it.

The meeting was organized by electing G. H. Vernon Chairman and G R Cushing Secretary.

The minutes of the last meeting were read also the local mining Laws of the District.

On motion and carried the Chairman appointed a committee of three Consisting of Thos Plane, T. J Callison & G R Cushing to revise Sections 5 & 18 of the District Mining Laws.

The revised laws as drafted by the Committee were read to the meeting and unanimously adopted.

G. H. VERNON *Chairman*

G. R. CUSHING *Secretary.*

Book "C" Fol 431.

CANDELARIA NEVADA *March* 18*th* 1879

We the committee appointed at the Miners Meeting held at Candelaria Columbus Mining District on the Eighteenth day of March 1879, to amend and repeal the local mining Laws heretofore existing and in force in Columbus Mining District, and, also, under the authority of Section 5, of the United States Mining Laws, do enact as follows,

SECTION 1. This District shall be known as Columbus Mining District in the County of Esmerelda and in the State of Nevada and shall be bounded as follows, On the North by the Old Virginia Salt Marsh, On the East by the summit of the Monte Christo Mountains, On the South by Fish Lake Valley, and On the West by Capt Teels Salt Marsh.

SECTION 2. There shall be elected by the qualified electors of the District, a Recorder who shall hold his office for the term of one Year from the date of his Election, or until his successor is elected.

SECTION 3. All male citizens of the age of twenty One Years, and residing in the Columbus Mining District, shall be constituted qualified voters.

SECTION 4. It shall be the duty of the Recorder at the expiration of his term of Office to surrender to his successor forthwith, all Books, Papers and Records appertaining to the Office

SECTION 5. The term of Office of Recorder ceases as soon as his successor is duly elected.

SECTION 6. It shall be the duty of the Recorder to call all meetings of the Miners of the District on a petition in writing of twenty miners of the District, which will be made by Notices posted in at least five conspicuous public places in the District for a period of at least twenty days preceding the meeting

SECTION 7. The Recorder shall keep in a suitable Book or Books a full and truthful record of the proceedings of all the public meetings of the Miners of this District, and place on Record all claims brought to him for that purpose when such claims shall not interfere with or affect the rights of others or prior locations. Recording them in the order of their date. For which service he shall receive the sum of Seven Dollars and Fifty cents for each claim or location.

SECTION 8. The Recorder shall keep his Books open to the inspection of the public of the District at reasonable hours.

SECTION 9. The Recorder is empowered to appoint Deputies for whose Official acts he is responsible.

SECTION 10. The Records must and shall be examined only in the presence of the Recorder or his Deputy.

SECTION 11. Each location must be distinctly marked on the ground, so that its boundaries can be readily traced. All records of mining claims shall contain the name or names of each locator or locators, the date of the location, and a description of the claim located, by reference to some natural or permanent object as will identify the claim.

SECTION 12. The Recorder on application of the locator or locators shall go upon the ground and personally inspect the work and he then shall issue a certificate to the locator or locators. if the lawful amount has been performed on the claim either internally or externally. Also the locator is required to pay the Recorder the sum of Five Dollars for said examination and certificate, The Recorder shall itemize the same on the Records of the District.

SECTION 13. Twelve Dollars per foot linear measure is the lawful sum allowed for blasting rock in a Drift Winze or Shaft, and Six Dollars per foot linear measure, is the lawful sum allowed for picking ground in a drift winze or shaft of ordinary size.

SECTION 14. Unless One Hundred Dollars worth of work is done on each and every claim in each Year, the claim is subject to relocation.

SECTION 15. All claims of Gold and Silver bearing Quartz shall not exceed fifteen hundred feet in length, along the course of Croppings of said claim. No claim shall exceed One hundred feet on each side of the lode line of the Ledge.

SECTION 16. Each claim shall be accurately measured and staked or a mound be erected at both ends of the claim.

SECTION 17. Where a Tunnel site is located for the purpose of intersecting with a lode or Ledge already discovered, or for the discovery of undiscovered lodes or ledges bearing mineral is subject to Section 4 of the United States Mining Laws.

SECTION 18. The time allowed from the day of locating a claim, to the time necessary to record said claim shall not exceed fifteen days.

SECTION 19. On application of twenty miners the Recorder must call a meeting at any time within ten days, notice for the purpose of considering any Official misconduct or dereliction of duty, on the part of the the Recorder or Deputy, and if such charge is sustained by competent witnesses, the miners then and there may call a Miners Meeting for the election of a Recorder to fill the unexpired term office.

SECTION 20. The regular Annual Meeting of the Miners of this District for the purpose of electing a Recorder shall take place on the third Tuesday of March in each year, and it shall be the duty of the Recorder to call an Election for that day by posting Five Notices in conspicuous places in the District, twenty days prior to the election.

SECTION 21. All laws heretofore governing this District be and are now repealed.
SECTION 22. The foregoing laws shall take effect and be in full force on and after the 20th of March A. D. 1879.

THOS PLANE
T. J. CALLISON
G R CUSHING *Committee*

Book "C" Fol 433, 434, 435 & 436.

I hereby certify that the within is a trûe and correct copy of the original, approved and adopted by the Miners at our last Meeting, Called at Candelaria in Esmerelda County, Columbus Mining District and for that special purpose and occasion

M. HOLLAND *Mining Recorder*

Book "C" Fol 437.

ABSTRACT MINERS MEETING

CANDELARIA *June* 21, 1879

At a special meeting of the miners held in Candelaria, Columbus Mining District Esmerelda Co: Nevada on the 21st day of June A. D. 1879, Dan Holland was appointed Chairman of the meeting and B. W. McClane Secretary. The resignation of M Holland was read and accepted.

Laws adopted at the last regular meeting read and readopted.

B. W. McCLANE *Secretary*

Book "C" Fol 451.

ABSTRACT MINERS MEETING

At a meeting of the miners held March 1st 1880, Dennis Murphy was chosen as Chairman and R Decker as Secretary.

Motion by J. Duval that Section 3, be so amended "that only those owning one fifth interest or more in a mining claim recorded in the District, shall be constituted qualified voters at the miners meetings of this District."

Motion Seconded and carried unanimously.

Motion by E. W. Read that Section 6, be so amended as to read instead of "Miners," "Mine Owners"

Motion Seconded and carried unanimously

(Signed) R DECKER *Secretary*
" D. D. MURPHY *Chairman*

I hereby certify the above to be a true copy of the minutes of the meeting.

GEO R CUSHING *Recorder*

Book "C" Fol 567.

ABSTRACT CANDELARIA COLUMBUS MINING DISTRICT MARCH 16. 1880.

Pursuant to the mining laws of the District the annual meeting was held this day for the purpose of electing a Recorder for the ensuing Year and for the transaction of such other business as may properly be brought before the meeting.

The meeting was organized by the election of Col: S. C. Barnes as chairman and L. C. Bently Secretary.

The minutes of the last meeting were read and approved.

Moved and seconded that the rules endorsed at the meeting of March 1. 1880 govern the proceedings of this, the annual election for Recorder. Carried.

Moved and seconded that the Recorder this day to be elected and also Recorders to be elected in the future, shall give a good and sufficient bond in the sum of Five Thousand Dollars ($5000.00) with two or more sureties in the sum of Five Thousand Dollars ($5000) Each, for the faithful performance of the duties of his Office, and that Mining claim owners shall be competent as sureties without reference to their ownership of other real estate. Said Bond shall be approved by a Justice of the Peace, or Notary Public of the county in which said District is situated.

Said Bond shall be recorded in the Office of the District Recorder, and filed in the Office of the County Recorder by said District Recorder within thirty days after entering upon the discharge of the duties of his Office. Carried Unanimously.

Upon [motion] the meeting elected E. W. Read and D. D. Murphy as Judges, and Wm McBride as Inspector of the election.

The Polls were declared open and balloting proceeded with.

S. C BARNES *Chairman*

L. C. BENTLY *Secretary*

Book "C" Fol 610.

Election held March 16" 1880—87 votes cast of which G. R. Cushing received 85 votes & Robt Morris rec'd 2 & G. R. Cushing was declared duly elected Mining Recorder for the year ending March 1881.

EUREKA COUNTY.—EUREKA MINING DISTRICT.

LAWS OF EUREKA MINING DISTRICT

EUREKA VALLEY LANDER CO N. T. *Sept* 19th 1864

SEC No 1 This District shall be known as the Eureka Mining District and shall be bounded as follows viz Beginning at the place where Eureka Creek or Canyon crosses Simpsons old road as laid out by him in the year 1859 thence following said road westerly to a spring in the middle gate thence Southerly along the summit of the Mountains to the first valley thence Easterly along the base of the mountains to Simpsons old road thence Northerly and along Simpsons old road to the place of beginning—

SEC 2—Ther shall be a Recorder elected at this meeting who shall hold his office until the first Monday of Sept ad 1865 he may appoint a Deputy or Deputies for whose official acts he shall be responsible the Recorder or one of his Deputies shall go upon the ground at the request of the locator and see that the Locator measures & Stakes off his claim or claims when visible the Recorder or his deputy shall call all meetings when requested by Ten Claim holders of the District and preside at the same—the Recorder shall keep in a suitable book or Books a faithful and true Record of all Claims brought to him for that purpose if such Claims due not Conflict with other Claims he shall record all claims in the order of their presentation for which Servise he shall receive Seventy five Cents for each Claim Recorded he shall Record all Certificates of work done on Claims when he is satisfied that the necessary work has been done he shall giv Certificates of Location or abstracts of Title for which service he shall be entitled to receive fifty Cents also to keep his books for inspection of those interested in the mines of the District he shall deliver his books to his lawful Successor all examination of his books & papers to be made in his presence or that of a Deputy—

SEC 3—Claims of Mining Ground shall be made by posting a written Notice on the Claiments Ledge defining its boundaries if visable a Notice of Mining ground by Companies or individuals on file in the Recorders Office shall be equivelent to a Record of the Same—Each Claim shall consist of two hundred feet on the ledge but claimants may consolidate their claims by locating in a common name so that in the agregate no more ground is claimed than two hundred feet for each name—Claimants may hold one hundred feet on each side of their ledge for Mining & building purposes but shall not be entitled to any Ledge within said distance—by virtue hereof Each Locator shall be entitled to all dips spurs and angles Connecting with his Ledge—all Claims shall be recorded within ten days from the date of Location

SEC 4—whenever ($100 ⁰⁰) one Hundred Dolars worth of Labour shall have been expended on any Companys claim or ($25) on any individuals Claim the same shall be demed a fee simple in the owners or owner theirof and their or his Grantee & assigns and shall not thereafter be subject to relocation by other parties except by producing to the Recorder a writeing acknowledging the abandonment theirof—

SEC 5 All persons holding mining Ground at the present time in this District & all persons hereafter and previous to the date herein mentioned shall hold the same exempt from relocation until the first Monday of June. A D 1865—these rules & laws may be altered or emended by a two thirds vote of those owning claims or mining ground in this District—After twenty days notice of such intention shall have been given in the Reese River Reviele or some other paper published in Lander County and shall have been posted in the most publick place in this District—

SEC 6 The Laws Rules and Regulations of the Reese River Mining District so far as not inconsistant with the foregoeing Rules and Laws shall and the same are hereby extended to and over this District and made the Laws Rules and Regulations thereof—

SEC 7 Elections shall be held viva voce unless otherwise determined by those present at the meeting—

At an election held in the aforesaid District on the 19th day of Sept A D. 1864 the foregoeing Laws & Rules for the District ware adopted and the under signed duly elected Recorder

G J TANNEHILL *President*

E. A PHELPS *Sec*

EUREKA MINING DISTRICT *June 5th* 1865

Pursueant to Notice a meeting of the Miners of this District was this day called—on Motion it was ordered that after this date the Recorders fees for recording each claim or claims shall be one dollar and also for issueing Certificates of Title one dollar And it is also ordered that after this date no claims that is now on record or that may be relocateable before the fourth day of June 1866 even if there shall be as much as one dollans worth of labor expended on the same—It was also ordered that G. J. Tannehill be reelected recorder of this Eureka District—All of which was unanimously adopted—

DENNIS KENELY *President*

ELISHA BREWER *Secretary*

EUREKA MINING DISTRICT *Sept 4th* 1865

Pursueant to Notice a meeting of the Miners of Eureka District was this day called—

On Motion it was ordered that after this day the Recorders fees shall be one dollar and also for issueing certificates of title one dollar—And it is also ordered that after this date no claims that is now on record shall not hereafter be placed on record shall be relocated before the fourth day of Sept 1865 if there shall be as much as one dollars worth of labor expended on the same all of which was unanimously adopted

G J TANNEHILL *Secretary & Recorder*

DEPOSIT LOCATIONS

EUREKA DISTRICT *Feb 27th* 1869

At a meeting of the Miners of Eureka District called on the 27th February 1869 S J Hope was chosen chairman and C. A. Stetefeldt Secretary—

On Motion the following resolutions and amendments to the old Laws of the District were adopted—

Whereas explorations have made it evident that the mineral in Eureka District is found more frequently in the form of deposits than in true fissure veins or ledges and the laws of the District do not provide for the location of such deposits and Whereas this deficiency in the law may give rise to expensive litigations as it is the case in White Pine a District of similar character the miners of Eureka District have adopted the following amendments to the old laws of the District—

SEC 1 Claims of mineral ground may be located as deposits—

SEC 2—A Deposit claim shall consist of a piece of ground 100 feet square and such a piece of ground shall be designated as a "Square"

SEC 3 The Locators of a square claims all the mineral within their ground to an indefinite depth—

SEC 4 The discoverer of a deposit shall be entitled to two squares

SEC 5 The claims taken up on one deposit shall not cover more ground than eight squares

SEC 6 A Prospector shall be allowed to make a deposit location and have the same filed for record without have discovered ore on the surface, but his location shall not be finally recorded if he does not find and expose mineral within thirty days from the time of filing said location for record—

SEC 7 The corners of deposit ground shall be designated by stone monuments or stakes

SEC 8 Ten dollars worth of work for each square shall hold the ground for six months

On motion A Monroe was elected Recorder

SAUMEL J HOPE *Chairman*

CHARLES A STETEFELDT *Secretary*

MINERS MEETING

The miners and mine owners of Eureka District met at an adjourned meeting at the office of the Justice of the Peace last evening.

Mining Recorder Cavanaugh called the meeting to order,

On motion L. W. Cromer was elected Secretary.

Captain J. M. Foley Chairman of the Committee appointed at the regular meeting "Upon the advisability of changing the Laws of the District to conform to the United States Mining Laws, Approved May 10th 1872" Submitted the following report:

"That after a careful consideration of the matter, we do not see the necessity of any change in the present District Laws now in force, and would recommend that they remain as they are

JOHN M FOLEY *Chairman*

FRANK GOBEN *Secretary*

On motion of M. P. Murphy, the report was adopted.

On motion the meeting adjourned

M. G. CAVANAUGH *Chairman*

L. W. CROMER *Secretary*

WHITE PINE COUNTY.—WHITE PINE MINING DISTRICT.

TUESDAY *October* 10*th* 1865

A company of Miners met on the above day for the purpose of forming a district, the meeting was called to order and Robert Morrell was nominated to act as President—

Motion was made and carried that this district be known as White Pine District, Bounded on. the North by the red hills and running from thence south to a point where the Mountain runs into a foot hill from th ence east 12 miles from thence North and from thence west to the place of beginning the district being twelve miles square—

Thomas J. Murphy was nominated to act as recorder for the district, and was duly elected Recorder of White Pine District for a term of twenty four months from date—

On motion the following by laws were presented an approved—

1st The Recorder shall go on the ground & record all claims for which he will be allowed one dollar per name, after which no mine can be relocated, but belongs for ever to the parties whose names are recorded—

2nd There shall be an election for a new Recorder on the 10th October of every second year who shall be in office as Recorder for two years unless by death removed or by other reasons, when a notice signed by Fifty of the miners of the district can call a meeting, published by a notice posted 30 days in the district and advertised for 30 consecutive days in the Reese River Papers—

3rd It shall be the duty of the Recorder to keep in a suitable set of books or a book a full & truthful record of the proceedings of all public meetings, to place on record all claims, put on notice or brought to him for record when such claims shall not interfere or affect the rights or interests of Prior locators, recording the same in order of their date, it shall be the duty of the Recorder to keep his books open at all times to the inspection of the public, he shall also have the power to appoint a Deputy to act in his stead, It shall be the duty of the Recorder to deliver to his successors in office all books, records, papers &c belonging to or pertaining to his office—

4th All examinations of the records must be made in the full presence of the recorder or his deputy—

5th Notice of a claim or location of mining ground by any individual or by a Company on file in the Recorders office shall be deemed equivilent to a record of the same—

6th Each claimant shall be entitled to hold by location 200 feet on any lead in the district with all the dips, spurs, angles, offshoots, outcrops, depths with variations, and all the mineral and other valuables therein contained; the discoverer of or locator of a new lead being entitled to one claim extras for discovery—

7th The locator of any lead, lode, or ledge in the district shall be entitled to hold on each side of his lead, lode or ledge, located by him or them one hundred feet but this shall not be construed to mean any distinct or paralleled ledge within the two hundred feet other than the one originally located—

8th All locations shall be made by a written notice posted upon the ground—

9th Every claim located by individuals or company shall be recorded within 14 days after the date of location—

10th The recorder shall be allowed 50 cents per name for every name on a abstract of record furnished by him—

11th The recorder or his deputy is not required to reside constantly in the district—

12th Those laws cannot be amended altered or repealed for two years—

13th Those laws shall take effect on and after the 10th day of October 1865

ROBERT MORRILL *Pres*—

THOMAS J. MURPHY *Secretary & Recorder*—

DISTRICT MINING LAWS OF WHITE PINE MINING DISTRICT, NEVADA.

At the regular annual meeting of the miners of the White Pine Mining District, held at Treasure City, White Pine County in the State of Nevada, on the 20th day of July 1874, the following were proposed as amendments to the mining laws of said district, and, being on motion read by sections and submitted to vote thereat, were duly adopted in said meeting by the miners assembled at the time and place aforesaid:

1st.—This district shall be twelve (12) miles square, bounded as follows: commencing at the Six-mile House, northwesterly from Hamilton, and running thence due east six (6) miles, thence due south (12) miles, thence due west twelve (12) miles, thence due north twelve (12) miles, thence due east six (6) miles to the place of beginning, true meridian.

2nd.—The United States mining Laws are hereby adopted in full as the laws of this district.

3rd.—The annual meeting for the election of Mining Recorder, and for the transaction of such other business as may be necessary, shall take place at one (1) o'clock p. m., on the 20th day of July of each year. The Recorder shall give ten (10) days' notice of the time and place of such meeting.

4th.—The Recorder shall have a competent deputy to attend to his business during his absence from the district. In case of resignation or death, the deputy shall give ten (10) days' notice that an election will be held, when a majority of the miners present shall elect to fill the vacancy for the unexpired term. In case there is no deputy five (5) miners of the district may issue the call for a meeting of the miners to fill the vacancy.

5th—All examinations of the records shall be made in the presence of the Recorder or his deputy. The books shall be kept during business hours in a suitable place convenient of access.

6th.—No pen or ink shall be allowed about the desk where the books are kept during business hours.

7th.—Notice of a claim or location of mining ground on file in the Recorder's office shall be deemed equivalent to a record of the same.

8th.—All locations shall be made by a written notice posted on the ground, when there shall be allowed thirty (30) days in which to file such notice of record.

9th.—No person shall have the privilege of participating in any meetings except *bona fide* miners of the district, and no person shall be considered a miner unless he is an owner in a claim recorded, and worked according to law.

10th.—For all locations hereafter made whether containing fifteen hundred (1500) feet or less, the Recorder shall be allowed two (2) dollars for making the record when not required to go on the ground. When required to go on the ground he shall be allowed fifty (50) cents for each mile traveled one way—*provided* that nothing in this section shall be so construed as to make it the special duty of the Recorder to go on the ground for the purpose of recording claims.

11th.—The Recorder shall be allowed three (3) dollars for every certified abstract of title furnished by him.

12th.—The owners of any location having complied with that part of section 5th of the United States Mining Laws prescribing the amount of work necessary to hold possession of a mining claim shall make affidavit before a Notary Public or Justice of the Peace that the law has been complied with, and shall file such affidavit for record on the books of the District Mining Recorder. The fee for making such record shall not exceed one (1) dollar. A failure to comply with the provisions of this section shall be *prima facie* evidence that the law has not been complied with, and the claim shall be open for relocation the same as though no previous location had existed.

FORM OF AFFIDAVIT TO BE USED.

STATE OF NEVADA, *County of White Pine.*

Before me, the subscriber a (Notary Public, etc., or Justice of the Peace, etc.,) personally appeared (A. B., giving name of affiant,) who, being duly sworn, saith that at least———dollars worth of work or improvements were performed upon (here describe the claim or part of claim,) situate in White Pine Mining District, County of White Pine, State of Nevada, for the year A. D., 18—. Such expenditures were made by or at the request of———, owners of said mining claim.

(Jurat.) (Signature.)

13th.—Every location made prior to May 10th, 1872, for which application for U. S. patent has not been made, shall before the first day of January, 1875, have the boundaries of the location defined by suitable stakes, placed at each corner of the location, properly marked with the name of the location and the number of the stake, commencing at the N. E. corner, and numbering with the sun. A lettered notice shall also be posted at the initial point with the name of the claim, number of feet claimed, and course of the claim legibly printed thereon. It shall also be the duty of the owners of such location to file with the District Recorder, within the time aforementioned, a complete description of such location, with the course and distance from some prominent landmark or already patented claim. For filing the above description the Recorder shall be allowed two (2) dollars. A failure to comply with the provisions of this section shall be deemed an abandonment of the location, and it shall be open for relocation, the same as though no previous location had existed.

14.—All claims located since the 10th of May, 1872, shall have their boundaries defined and marked as required by Section 13 before the 1st day of January, 1875; and all claims hereafter located shall do the same within ninety (90) days from the date of record of such location. A failure to comply with the provisions of this section shall subject the claim to re-location.

15.—Should the Recorder at any time neglect the performance of his prescribed duties, or should he make charges for work in excess of those provided by these by-laws, he may be removed from his office therefor, and a new Recorder elected to fill the vacancy—*provided* that a call for a meeting for that purpose shall be signed by at least ten (10) miners of the district, giving time and place of holding such meeting, when it shall require a majority of the voters present to remove the incumbent, and elect his successor.

16.—The office of Mining Recorder shall be located in Treasure City.

17.—All by-laws, or parts of by-laws in conflict with these by-laws are hereby repealed.

After the adoption of the by-laws, on motion a committee to consist of the chairman of the meeting, and of two other persons present thereat, to be appointed by the chairman, were authorized to prepare a fair engrossed copy of the same. The chairman thereupon named upon said committee Joseph Grandelmyer and G. R. A. Bibbins as members of said committee on engrossment, and to prepare the said by-laws for the purposes of printing.

On motion it was ordered by the meeting that the Recorder be directed to have copies of the by-laws printed in convenient form; and that he be allowed to charge for single printed copies thereof the sum of twenty-five (25) cents.

On motion the meeting then resolved itself according to call for the purpose of electing a Recorder for the ensuing year.

W. F. ANDERSON, *Chairman.*

Attest JOHN L. ROBERTSON, *Sec.*

The undersigned, a committee appointed at the regular annual meeting of the miners of White Pine District, on the 20th day of July, 1874, to prepare an engrossed copy of the by-laws adopted at said meeting, do certify that the above, consisting of seventeen [17] sections, is a true and correct copy of the by-laws as adopted thereat.

W. F. ANDERSON.
JOS. GRANDELMYER.
G. R. A. BIBBINS.

TREASURE CITY, *July* 24, 1874.

NYE COUNTY.—PHILADELPHIA MINING DISTRICT.

LAWS OF ORIGINAL PHILADELPHIA MINING DIS'T ADOPTED OCT 1865

Andrew Bellman Chairman—H. G. C. Schmidt Secretary—
The following resolutions were passed—

This Dis't shall be known as the Philadelphia Mining Dist & the boundaries shall be as follows—West by the summit of the Mountain between Smokey & Monitor Valleys, East & North to the centre of Monitor. Ten miles north & five miles South of Monitor Springs—

There shall be a Mining Recorder elected immediately after the adoption of these laws, who shall hold office for one year, unless sooner removed by a new election which can only be done by a written call signed by at least one third of the claim holders giving notice of a new election to be held after said notice shall have been posted & published for at least twenty days in some newspaper in or nearest the District—

SEC 3—It shall be the duty of the Recorder to keep in a suitable book or books a full & truthful record of the proceedings of all public meetings—to place on record all claims brought to him for that purpose when such claim shall not interfere with or affect the rights & interests of prior locators—recording the same in the order of their date, for which service one dollar for each claim & name of locator recorded—It shall also be the duty of the Recorder to keep his books open at all times to the inspection of the public—He shall have power to appoint a deputy to act in his stead & for whose official acts he shall be held responsible—It shall be the duty of the Recorder to deliver to his successor in office all books records & papers belonging to or pertaining to his office—

SEC 4—All examinations of the Records must be made in the presence of the Recorder or his Deputy—

SEC 5—Notice of a claim by an individual or by a company on file with the Recorder shall be deemed equivalent to a record of the same—

SEC 6—Each claimant shall be entitled to hold by location 200 feet on any lead in the Dis't with all the dips, widths & variations & all the minerals & other valuables therein contained—The discoverer of a new ledge shall be entitled to one claim extra for discovery—

SEC 7—The locators of any lead, lode or ledge in the Dis't shall be entitled to hold on each side thereof one hundred feet together with all dips spurs and angles & variations & all minerals contained within those limits—

SEC 8—All locations shall be made by a written notice posted upon the ground & boundaries defined & all claimants names posted on the notice—

SEC 9—Work done on any Tunnel, cut, shaft or drift in good faith shall be considered as being done upon the claim owned by such person or company—

SEC 10—Any location in this Dis't shall be deemed as belonging in fee to the locator or locators thereof & their heirs & assigns & the same shall not be subject to relocation except by an acknowledged abandonment by the locator or locators of the ground—Which abandonment shall be construed to mean an entire abandonment when no work has been done upon the claim for the period of one year except in cases where claims are in litigation—

SEC 11—Every claim (whether by individual or company) located, shall be recorded within ten days after the date of location—

SEC 12—These rules or mining laws may be altered or amended by a two third vote of those present at any meeting in the Dis't at any time after twenty days notice of such intention shall have been given in the manner prescribed above for calling a new election for Recorder—

SEC 13—These mining laws shall take effect on and after the 24th of October 1865—

On motion Chas. L. Straight was elected Recorder of the Dis't—
Philadelphia Dis't—Nye Co—Nevada—

A. BILLMAN *President*

H. G. C. SCHMIDT *Secretary*—

We certify the foregoing mining laws or rules contained on pages 1. 2. & 3 to be a true, correct & complete copy of the proceedings of a meeting of the miners held at the Monitor springs Philadelphia Mining Dis't on the —— day of October 1865—

ANDREW BILLMAN *Presd't*

H. G. C. SCHMIDT *Secty*—

I, Lem Martin Recorder of Philadelphia Mining Dist Nye County Nevada hereby certify the foregoing Mining rules to be a true & correct copy furnished by H. G. C. Schmidt June 20th 1866—

LEM MARTIN—

NOTE—Shortly after the formation of the Philadelphia Dis't, certain parties came into the Dis't & desiring to

jump the already located & recorded claims, paid C. L. Straight a sum of money (am't unknown) to destroy the records which he did, leaving the Dis't & has never been heard of since—

A meeting of the miners of Philadelphia Mining Dist having been called, all the miners of said Dis't assembled in front of the Log Cabin occupied by C. L. Straight & organized by the election of O. H. Wilson Presdt & Geo W Thomas Sect'y—

The following resolution was offered & unanimously adopted—

We the miners of Philadelphia Mining Dis't organized on or about the 20th day of Oct 1865 finding the Record & Books of said Dis't destroyed by the then acting & duly elected Recorder of the Dis't named & the office of the Recorder abandoned by C. L. Straight—Therefore we the miners of said Dis't for the protection of our mining and other interests deem it highly essential for our present & future security to have a Recorder to fill said office & books of record kept thereof—Therefore

Resolved—That the office of Recorder of the Philadelphia Mining Dist be declared vacant—

On motion the meeting proceeded to the election of Recorder—Sixteen votes were cast of which Lem Martin received 12 & was declared duly elected Recorder

There being no further business the meeting adjourned—

Philadelphia Mining Dis't Nye County Nevada May 29th 1866—

A. H. WILSON *Presd't*

GEO W THOMAS *Sect'y*

LANDER COUNTY.—BATTLE MOUNTAIN MINING DISTRICT.

AUSTIN LANDER COUNTY NEVADA *April* 18th 1866

At a meeting of the mine owners of the Battle Mountain Mining District, held at the office of D. W. Welty Esq. in the City of Austin, County of Lander and State of Nevada, it was unanimously voted to have the above discovered district so named.

SECTION 1st. It was moved and carried that the boundaries and limits of said District be as follows, viz: Commencing at the most North Easterly point of the Battle Mountain at a warm spring, thence running in a North Westerly direction down and along the Easterly side of Humboldt Valley, a distance of Fifteen miles, thence in a South Westerly direction a distance of Twenty five miles, thence in a South Easterly direction to Reese River Valley supposed to be a distance of (20) Twenty miles, thence in a North-Easterly direction, along Reese River Valley to the said "Warm Spring" being the place of beginning and including therein the mining locations called the, Troy Ledge, Thistle Ledge and others made by Tannehill, Sinclair and Heath for themselves and others previous to this date.

SECTION 2. It was moved and carried that the mining locations made in said District by Tannehill, Sinclair and Heath for themselves and others prior to this date, be and they are hereby recognized as legal and valid.

SECTION 3rd It was moved and carried that all mining locations in said district be held valid until the Fifteenth day of May 1866, by complying with the following terms, viz: the parties claiming a location shall place in a conspicuous place thereon a written notice (in pencil or ink) giving the name of the claim and the number of feet claimed, and describing the location as near as may be, and the names of the locators and within thirty days thereafter, having such notice of location recorded with the mining Recorder of the District

LAWS OF BATTLE MOUNTAIN MINING DISTRICT MADE APRIL 20TH A. D. 1867.

At a meeting held by the miners of Battle Mountain District at Recorder Springs on the 20th day of April A. D. 1867

The following Laws, Rules and Regulations were adopted for the government of mining claims, The location, working and holding possession thereof and of and of acquiring and holding possession of the same.

The following are the Boundaries of said Battle Mountain District to wit.

Commencing at the North Easterly point of Walker's Ranch on the Humboldt River, thence running in a North Westerly direction down and along the Easterly side of the Humboldt River a distance of Twenty miles, thence in a South Westerly direction Thirty miles thence in a South Easterly direction to Reese River Valley, supposed to be a distance of Twenty five miles, thence in a North Easterly direction along Reese River Valley to the said Walker's Ranch and place of beginning.

SECTION 1. All mining claims heretofore located and recorded in the Books of Record of said District by Wm C. Sinclair as the Recorder thereof and by his deputy or Deputies where no protest shall have been entered, or if protested against, where they do not conflict with any prior locations shall be deemed valid and shall be so held by the Laws now made and enacted, and all such locations shall remain valid without any assessment work or Labor until the 1st day of August 1867 after which such locations shall be subject to the same work to hold the same as is provided and required by these Laws Rules and Regulations.

SECTION 2. The Recorder of this District shall hold his office for one year and until his successor is elected and qualified, provided that the Recorder elected at the present meeting of April 20th 1867 shall hold his Election untill the next annual election in the year A. D. 1868.

SECTION 3. It shall be the duty of the Recorder when called upon to record a claim to go upon the ground with the claimant and see that a monument not less than two feet and six inches high is erected thereon with a notice stating the size of the claim and the names of the claimants and when it was located and recorded, also a description of the location of the same on the ground

SECT. 4. It shall be the duty of the Recorder to keep a book or books in which he shall make true and correct entry and record of all claims he is called upon to record and said book or books shall be kept open for the inspection of the public, but always in the presence of the Recorder or his Deputy. No person except the Recorder of the District and his deputy shall be allowed to write with pen and ink in the Book in which the Records are kept

SECT 5. It shall be the duty of the Recorder when called upon to record a claim already located which has not been abandoned by a failure to do work thereon as required, to state to the parties so applying the facts in relation thereto and to give them verbal notice that

by such locations they are interfering with a prior location giving the facts in reference to such prior location and he shall in every such case enter the notification in his Books

SECT 6. Every locater shall be entitled to locate and hold (200) Two hundred feet on the course of the Ledge and every discoverer of a ledge shall be entitled to (200) feet extra for the which he shall be entitled to hold under the assessment work of his 200 feet by location.

SECT 7. The owners of each claim shall be entitled to the use of the surface on each side of the Ledge for working purposes to the extent of (200) Two hundred feet. A monument with the proper notice thereon shall hold a claim for only 30 days, within which time if desired to perpetuate the claim or right thereto the same must be recorded after the recording of a location or claim, it shall require, and there must be done to perpetuate and keep good the claim, one days work for every 200 feet thereon each and every year. The assessment work must be done within six (6) months after the record of the record of the claim in the first year of the location, and thereafter the assessment work must be done previous to the 1st day of September in each year

SECT 8. When two or more persons are associated by location or ownership in the same location and one or more may perform the amount of work or labor thereon to protect his or their interest therein and shall furthermore have the preference and right. after the persons who ought to do the amount to protect their interest in the same location or claim, have failed and neglected to do so, to perform the assessment work and labor required to be done to hold the balance of the ground correctly the entire location or any part thereof, and in all such cases as last stated the right, Title and claim of which the person or persons who failed to do their proportion of assessment work as and when required shall absolutely vest in and be owned by the person or persons so performing the same, and the Recorder when such facts are shown to his satisfaction shall make proper entry in his Book of Records, setting forth the facts and furnish to the parties entitled a certificate reciting briefly the facts which shall be prima Facia evidence of the facts therein contained and of the right of the person or his assignee holding the same to the mining ground therein described. If the assessment work be not done by any person as herein provided the failure to do the same shall be evidence of abandonment of the claim and the same may be located by any person or persons, provided that if located again in whole or in part by any one of the persons who first located the same, such locations shall not enure to the benefit of any of the first or former locators whose names are not incorporated in the subsequent Locations

SECT 9. The Recorder shall be entitled to appoint a Deputy who shall be required to perform the same duties as the Recorder but in case both the Recorder and his deputy shall be absent or resident out of the district for a period longer than 60 days the office shall be deemed vacant and an election held to fill the vacancy.

SECT 10. The Recorder shall keep the Books of Record of the District always in his own possession or that of his deputy and whenever he takes the same out of the District he shall post a notice where the same may be easily seen, at his office, stating therein where they Book may be seen, and the same when taken out of the District may only be taken to the city of Austin in Lander County and should he be absent himself both from the District and the County of Lander, unless left with a duly appointed Deputy he shall deposit the Books with the County Recorder of Lander County subject to the control and order of any successor in his office

SECT 11. The annual meeting of the District shall be held on the 1st Monday in June of each year, except the year 1867 when it shall be lawful for a quorum present to elect officers and pass Laws Rules and Regulations for the District and alter or amend any in force at the time of the meeting. The recorder shall give notice of each annual meeting by posting up written or printed notices in conspicuous places in the district, and by having such notice printed and published in a Daily Newspaper in the City of Austin, each of said notices shall be posted at least 10 days prior to the election. provided a failure to give such notices shall not prevent a meeting of those assembling at the mining Recorders office and holding the annual meeting as herein provided. Notices of special meetings shall be given as above provided If the Recorder fail to give such notice or be absent, any six persons owning interests in the District may give the notices but no special meeting shall be valed without the notices being first given as herein provided

SECT 12. All persons residing in the District shall be entitled to water from any and all springs and streams therein for individual and domestic use and no appropriation thereof shall be made so as to deprive them thereof

SECT 13. The fees of the Recorder shall be as follows: 1st for every location or claim of 200 feet, Discovery claim excepted $1.00. 2nd for every Transcrip and certificate 25 cents for each name. 3rd For the entry aforesaid and certificate of assessment work done to vest title of persons failing to do work on same Location for each 200 feet $2.50

SECT 14. At all annual and special meetings of the District Ten persons shall constitute a quorum and may transact business which shall be binding and valid. All persons owning claims or interests in claims in the District may vote at all annual or special meetings in person or by proxy. on all business coming before the meeting including the election of officers The meeting shall be held at the office of the Recorder in the District or such other places as may be designated in the notice but all meetings shall be held within the District

"Laws" Ended.

PROCEEDINGS OF A MEETING OF MINERS HELD IN BATTLE MOUNTAIN DISTRICT 20th DAY OF APRIL A. D. 1867.

Pursuant to a call published in the Reveille in Austin Lander Co on the 20th day of April A. D. 1867 the following persons met within the District at a place called Recorder Springs Humboldt County and did then and there organise. There was present at said meeting

CYRUS WELLS.	DAVID WALKER.	CHAS J. SIMPSON.
BEN COY.	WM HEATH.	H. A. WRAN and
WASH JACOBS.	WM C. SINCLAIR.	MATTHEW WALLACE
	EPHRAIM PICKETT.	

On motion Wash Jacobs was elected president of the meeting and David Walker Secretary.

On motion being made and carried all those having proxys were allowed to vote for the same at said meeting

On motion the District Laws were read and approved of.

On motion the Bye-Laws and Regulations were unanimously adopted as laws for the Goverment of the district.

Next in order was election of Recorder.

On motion of Wm Wells Wm. C. Sinclair. was placed in nomination, there being no other candidate for the office of Recorder it was moved, seconded that his nomination be declared unanimous, Carried by acclamation. of all present.

On motion it was resolved that the Bye-Laws of the District be published in the R. R. Reveille at Austin Lander County Carried.

On motion of Wm C. Sinclair Ben Coy was appointed by him as the deputy Recorder, sanctioned by all present

Moved that the Laws and minutes and proceedings of the meeting be entered in the Record Book. Carried.

It was moved that we now adjourn *sine die* carried.

WASH JACOBS *President*

DAVID WALKER *Secretary.*

BATTLE MOUNTAIN DISTRICT *April* 20th A D. 1867.

BATTLE MOUNTAIN *June* 1st 1868.

In pursuance of notice given in accordance with the laws of Battle Mountain District, the miners of said District met this day for the purpose of electing a District Recorder and revising the laws of said District.

J. H. Atchison was elected chairman and J. D. Miner Secretary.

Upon motion a committee of three was appointed to revise the laws of the District consisting of Messrs R. Woodward. G. W. Fox and Robt McBeth.

Pending the report of said committee the meeting adjourned till 11 oclock A. M of this day.

11 oclock A. M. meeting reassembled and was called to order by the chair

The committee to revise the laws reported new Laws for the District which report was read by the Secretary.

Upon motion the Laws as reported by the committee were unanimously adopted.

Whereupon the meeting proceeded to the election of a Recorder. R. Woodward and Jas. Dunn were placed in nomination. J. D. Minor was appointed teller by the chair. Upon first ballot Jas Dunn was declared duly elected.

There being no further business the meeting adjourned

J. D. MINOR *Secretary.*

BATTLE MOUNTAIN *June* 7th 1869

Pursuant to Article 5 Sect 2 of the Mining Laws of this District, the miners met at the residence of D. B. Higgins to elect a Recorder and transact such other business as might properly come before the meeting.

On motion the Secretary read the old and subsequent By-Laws of the District, first as a whole, then section by section.

Mr F. Hughes made the motion that a committee of three be appointed to amend the laws of the District Mr. Hughes, Cuddy and Emerson were nominated and confirmed by the chair and allowed three quarters of an hour to make a report.

The committee on revision of By Laws then reported, they had made several amendments which on being put to vote by the President was lost. And the By Laws remain as before. On motion the meeting adjourned

J H CULVER. *Secretary*

LAWS OF BATTLE MOUNTAIN DISTRICT, ENACTED JUNE 1ST A. D. 1868.

At a meeting of the miners of Battle Mountain District held at Long Creek June 1st 1868 the following laws were enacted regulating the location and possession of all mining claims in said District

BOUNDARY.

The following are the boundaries of Battle Mountain District to wit.

Commencing at the Northeasterly point of Walkers Ranch on the Humboldt River thence running in a North westerly direction down and along the Easterly side of the Humboldt River a distance of Twenty miles Thence in a Southwesterly direction, thirty miles. Thence in a Southeasterly direction to Reese River Valley supposed to be a distance of Twenty five miles Thence in a North Easterly direction along Reese River Valley. to the said Walkers Ranch and place of beginning.

LAWS.

ART 1 "ELECTORS"

SECT 1. Any person owning a claim of Two hundred (200) feet and being present at any election or any meeting of the miners of this District shall be entitled to vote at any or all of such meetings or elections

ART. 2ND LOCATIONS

SECT 1 Any person locating a claim shall be entitled to hold Two hundred (200) feet on the course of the ledge, and every discoverer of a claim shall be entitled to Two Hundred (200) feet extra for such discovery The owner or owners of every ledge shall be entitled to the use of the surface on each side of the ledge for working purpose to the extent of one hundred (100) feet.

SECT 2. Any person locating a claim shall hold the same for thirty days provided that upon locating the same he shall erect a monument not less than two feet and six inches high and place thereon a notice stating the name of the ledge, the number of feet claimed and the names of the locators, and provided further: that within said time such location shall be measured by the Recorder. said notice filed and recorded and a monument of the height aforesaid built by the claimant at each end of said claim.

ART. 3. ASSESSMENT WORK

SECT 1. The assessment work necessary to be performed to keep good the title to any ledge claimed shall consist of one days work for each claim of Two hundred (200) feet which work must be performed between the commencement of each assessment year and the

first day of September of the same year or such claim shall be deemed forfeited and subject to relocation provided: that all claims located in the year 1868 previous to June 1st of such year on which the amount of assessment work required by this section has been performed shall be deemed to have performed the assessment work for this assessment year.

SECT 2. When two or more persons are associated by location or ownership in the same location any one or more may perform the amount of work or labor *thereon* necessary to protect his or their interest therein, and such person or persons shall have the right have the right to select their interest or interests from any portion of said location in case of the neglect or refusal of other interested parties to perform their proportion of assessment work required by the Laws of this District.

SECT 3. The assessment year shall be deemed to commence on the first Monday of June of each year

ARTICLE 4. MEETINGS

SECT. 1 The annual meeting of the miners of this District shall be held on the 1st Monday of June of each year. At which meeting all officers required in this district shall be elected or any laws in force may be altered, amended or repealed and all other business pertaining to the mines transacted.

SECT 2. Special meetings of the miners may be called by five resident miners of the District in case of a vacancy in the office of Recorder by posting notices in three conspicuous places in the District for the period of ten days. At which meeting no other business shall be transacted other that the election of a Recorder.

ART 5 RECORDER.

SECT. 1. At each annual meeting a Recorder shall be elected by a majority vote of all qualified electors present and such Recorder shall hold his office for one year, or until his successor is elected and enters upon the duties of his office.

SECT. 2. It shall be the duty of the Recorder to post notices in three conspicuous places in the District at least 10 days before the prescribed time for the annual meeting. He shall have power to appoint one or more deputies and shall keep all books, records and copies of notices in his own possession or that of his deputy. He shall file all notices presented to him for record at the time such notice is presented noting the day, hour and minute and shall keep a book in which he shall record all such notices of location, recording also the filing upon such notices, and when called upon it shall be his duty to go upon the ground and measure any claim or claims located and shall fix the points at each end of such claim, on which the claimant shall erect the monument provided for in a preceeding section.

SECT 3. The fees of the Recorder shall be as follows to wit:

For filing every notice of location, measuring the same and recording such notice, for each 200 feet. One dollar.

For each transcript of location and certificate thereto, for each name in such location. Twenty five cents.

SECT. 4. All laws heretofore in force in this District are hereby repealed.

I. James Dunn, District Recorder of aforesaid District do hereby certify the foregoing to be a full true and correct record of the Laws as passed at the miners meeting held. June 1st 1868.

JAMES DUNN *Recorder*

Pursuent to a call and notice given in accordance with the laws of Battle Mountain Mining District met this 3rd of *June* 1872 for the purpose of electing a District Recorder and revising the Laws of said District.

Robt McBeth was elected chairman, T. G. Bradford Secretary and R. V. Kelly clerk.

MINUTES

A committee of five appointed by the chair to Revise the Laws of said District and report on Saturday June 8th 72 at 8 P. M.

The following committee were appointed Frank Drake John Ramdohr B. F. Wilson. C. P. Robinson D. B. Higgins Committee

Notice made and carried to adjourne untill next election

Moved and carried that a collection be made for the purchase of new books for Recorder

No more business motion for adjournment made and carried unanimously

GALENA *June* 7th 1872

A meeting of June 3rd a Committee was appointed at the Minors meeting for the purpose of prepaireing a Code of Rules and Regulations to be Laid before a meeting of the Minors of the Battle Mountain Mining District to be held June 8th 1872 was called at Judge Robinson's office at 8 oclock P. M of June 7th at the appointed hour all the members of said committee were present viz. C. P. Robinson Frank Drake. B. F. Wilson. D. B. Higgins John Ramdohr

At the motion of. C. P. Robinson. Frank Drake was appointed chairman and John Ramdohr Secretary

C. P. Robinson made the motion to reade the Code of Laws now in force and amend it by Sections were deemed nessary. Motion adopted

At a motion of C. P. Robinson Art 1st. Sect. 1 was amended to read as follows

"Any person oning mining property and being present at eny election or any meeting of the miners of this District shall be entitled to a vote at any or all such meetings or elections.

D. B. Higgins moved to amend Art. No 2. Sect. 1. so as to read that it shall be left to each Locator to define the Boundaries on each side of the Lode claimed, with the limits of Twenty five and Three Hundred but that the boundaries chosen shall be stated in notice of Location

Motion Lost.

On motion of the chairman the Boundaries on each side of the Lode were fixed at 150 feet.

ARTICLE 2nd C. P. Robinson fixing the Rate of Compensation for assessment work at $6 per one days work.

On motion of the Chairman the following rules were adopted.

Assessment on claims located Previous to May 11th 1872 shall be done in the year commencing May 11th 1872 and ending May 10th 1873.

Assessment work on claims located subsequent to May 11th 1872 shall be done within the year commencing from date of location.

ART. 5. SECTION 3RD

On motion of C. P. Robison the fees of Recorder were fixed as follows $3 for Recording Notice of Location of Ledge or Tunnel Right. Twenty-five cents miledge to and from Location.

Fifty cents miledge for line of measurement and for making transcript and certifying of it

On motion of chairman the following amendments was adopted.

Any person making an affidavit before any officer authorized by law to administer oths that he has performed the amount of assesment work he is required to perform by law shall be entitled to a certifacate from the Recorder for the same who shall be entitled for the Recording of it a fee of $1.00

The Seceratary was commissioned to draw up a code of Laws incorporating the above amendments to be laid before the Committee at a meeting to be held June 8th 4 o'ck P. M. All business before the meetings of the Committee being finished the meeting adjourned

FRANK DRAKE *Chairman*

JOHN RAMDOHR *Secretary*

Whereas an act of Congress entitled an act to promote the developments of mining Recources of the United States has been passed and approved May 11th 1872

Whereas said act of the United States grants the the Minors of a Mining District the privilidge to establish nessary Local rules and regulations do not conflict with the provisions of the Laws of the United States Passed and approved May 11th 1872. it has ben Resolved by the Minors of Battle Mountain District in a Meeting held this day of June 1872 that all claims located prior to May 11th 1872 shall be held and govenered by and under the rules and regulations as adopted June 1st 1868 and under amendements made thereto June 6th 1870 as far as these rules and regulations do not conflict with the Act of United States passed May 11th 1872 and it is further Resolved that for all locations mad after May 11th 1872 by any person or persons being citizens of the United States or have having declared his intentions to become a citizen the Rules and Regulations shall be as follows.

SECT 1. *Qualifications for Voting* Any person owning Mining Ground and being present at any election or any meeting of the Miners of this District shall be entitled to a vote at any or all such meeting or elections

SEC. 2nd *Boundaries of Battle Mountain District* the following are the boundaries of Battle Mountain District. Commencing at the North Easterly point of Walker's Ranch on the Humboldt River thence runing in a North Westerly direction down and along the Easterly side of the Humboldt River a distance of twenty miles then in a South Westerly direction thirty miles, thence in a South Easterly direction to Reese River Valley suppose to be a distance of twenty five miles, thence in a North Easterly direction along Reese River Valley to the said Walker's Ranch and place of beginning

SECT 3rd. *Size of Claim* Any person or persons being citizens of the United States or any alien who has declared his intentions to do so or became such, shall be entitled to a claim of not exceeding Fifteen hundred feet in length along the Vain or Lode

SECT 4th *Surface Claim* No claim shall extend to more than one Hundred and fifty feet on each side from the middle of the Vaine on the surface, the claiment or claiments being entitled to the exclusive ownership of all Vaines or Lodes or Mineral Deposites inside of these Boundries.

SECT 5th *Rules for Recording* Any person locating a claim shall hold the same for thirty days provided said claimant files a notice of his claim in the Recorders office within five days of the date of location, provided further that said claimant erects a monument or stake on said Ledge of the Hight two feet six inches and places thereon a notice stating name of Ledge and name or names of Locators provided further that within thirty days similar monuments or stakes are erected at each corner of the surface Bounderies of said location and provided that such is recorded in the Recorders office within the said thirty days

SECT 6th *Measurement of claims by Recorder.* It shall be the duty of the Recorder to measure the Bounderies of any Location Previus to the Recording of the same and the Recorder shall not enter the Record of any Location in the Books except the nessary monuments or stakes are placed in there required position

SECT. 7th *Contents of Notice of Location.* The Recorded notice of Location shall contain the name or names of Locaters, of the date of Location and such discription of the claim or claimes located by Reference to some natural object or permanent monument as will indentify the claim.

SECT 8th *Valuation of Assessment Work.* The assessment Labor nessary to be performed to keep good the title of any Ledge claimed shall be computed at the rate of $6 for one days work.

SECT. 9 *Time for Assessment Work.* Assessment Work on Location made prior to May 11th 1872 amounting to ten dollars per each Hundred feet contained in the claim shall be performed in the year commencing on May 10th ending on May 10th of the subsequent year. Assesment work on Location made subsequent to May 11th 1872 amounting to $100 for any claim of 150 feet or less shall be performed within the year commencing from date of Location

SECT. 10th. *Annual Meeting.* Battle Mountain District shal hold on the first Monday after the 11th of May at which meeting all officers required in this District shall be elected or any Laws in force may be altered, amended, or repealed and any other business pertaining to the mines transacted

SECT 11th *Special Meetings* Specials meetings of the Minors may be called by five Resident Minors of the distrect in case of a vacancy in the office of Recorder by posting a notice in three conspicuous places in the District for the period of ten days. At these specials meeting no Business shall be transacted other than the election of Recorder.

SECT 12th *Election of Recorder.* At each annual meeting a Recorder shall be elected by a majority vote of all qualified voters present. Such Recorder shall hold his office untill the next annual year or untill his successer is elected and enters upon the duties of his office

SECT. 13th. *Duties of Recorder.* It shall be the duty of the Recorder to Post Notices in three conspicuous places in the District at least ten days before the time prescribed for the annual meeting. He shall have the power to appoint one or more Deputies and shall

keep all Book Record and copies of notices in his own Possession or that of his deputy. he shall file all notices presented to him for Record at the time such is presented noting the day hour and minute and shall keep a Book in which he shall record all such Notices of Location Recording also the filing upon such notices, he also shall Record proceeding of all miners meetings

SECT. 14th The fees of the Recorder shall be as follows: For recording any claim Location of Lode or Tunnel Rights $3.00 For miledge to and from the claim 25 cents per mile For measuring the boundries of claims 50 cents per mile For evry transcript of Location and the certificate thereof $1.00 Any Person making an affidavit before any officer authorized by Law to adminster an oth that he has performed the amount of sesment work his is required to perform by Law shall be entitled to a certificate from the Recorder for the same, who shall be entitled for the executing and Recording of it, a fee of $1.00

SECT. 15th. *Relief for Partners against delinquent Partners.* Upon the failure of any one of several owners to contribute his proportion of the expenditures required the co-owners who has performed the labor or made the improvements may at the experation of the year give said delinquent co-owner personal notice in writing or by publication in the nearest news paper to said claim for at least once a week for ninety days, and at the experation of ninety days after such notice in writing or by publication such delinquent should fail or refuse to contribute his proportion to comply with this Act his Interest in the claim shall cease and become the property of his co-owners who have made the required expenditures

SECT 16th All Laws heretofore in force and conflicting with any of the rules and regulations as stated above are hereby repealed.

ROBT. McBETH. *chairman.*

GALENA *May* 19th 1873

At a meeting of the citizens of Battle Mountain Mining District held at Galena on the 19th day of May 1873 to elect a Recorder was held.

It was motioned and seconed the Recorder is required to get a new Book for the transfer of notices of claims and Index the same, whenever application is made by any parteys and that the Recorder receives fifty cents for each and every notice thus transcribed

Motion made and seconed that this meeting adjourn untill the first Monday after the 11th May 1874.

J. C. ROBB. *chairman*

C. G. WHITCOMB *Secty*

GALENA *May* 18th 74

The annual meeting of the miners of Battle Mountain District as ordered by Section 10th of the District Laws adopted by the miners meeting of June 8th 1872 was opened by the Recorder N. Taylor. this 18th day of May 1874 at 1 oclock P. M at McBeth's Hotell Galena.

On motion C. C. Robenson was elected chairman and John Ramdohr Secretary.

Motion for the amendement of the District Laws now in order, it was moved by N. Taylor to Repeal Section fourth and replace it with the following section.

"it shall be optional with the Locator to confine the boundries of the claims on each side of the Lode within the limits of 25 feet and (300) Hundred feet. the Boundries to be chosen to be expressley stated in the notice of locations"

motion carried unanimously

No more motion being brought before the meeting it was adjourned by the chairman from 3 oclock P. M to 6 P. M.

The meeting opened again at 6. P. M at 7. P. M the Ballots were opened a majority of the votes having ben cast for N. Taylor as Recorder, the chairman declared N. Taylor to be elected as Recorder of the Battle Mountain Mining District for the year ensueing.

No further business being Brought before the Meeting, the chairman declared the meeting adjourned sine die.

C. P. ROBINSON *chairman*

JOHN RAMDOHR *Secretary*

NYE COUNTY.—MOREY MINING DISTRICT.

NOTICE—

In persuance of the mining laws of the State of Nevada there will be an election held at Hall & Emerson's Co's Cabin on Oct 13″ 1866 for the purpose of electing a Recorder for said Dis't & confirming the following boundary of the same. Commencing at the N. E. cor of the boundary line of Hot Creek Dis't, thence north in the centre of the Valley to Eight mile Canyon, thence West to the centre of Indian Valley thence south to the N. W. corner of the boundary line of Hot Creek Dis't, thence East with said line to place of beginning—

Morey Sept 26″ 1866—

Polls to open at 11 o'clock A. M & close at 6 o'clock P. M.

L. G. CURTIS
C. C. HARBINSON
H. J. EMMERSON
W. L. GRAY
ADAM HURL—

Meeting held June 6″ 1866—A. J. Emmerson Presdt—H. Bonner Secty—

Mr Hall moved that the boundary lines of Morey Dis't be respected as set forth in Notice—Carried—

Adam Hall elected Recorder.

Meeting adjourned—

A. J. EMMERSON *Chairman*

H. BONNER *Sect'y*—

Meeting of the miners of Morey Dis't was held on this the 22d day of July A D 1867 A. J. Emmerson Chairman—Adam Hall.Sect'y—

Mr W. A. Keyser moved that the following articles be read & adopted as the mining laws of Morey Dis't—Carried—

Resolved that the following articles be presented to the voters & receiving the majority of the votes in the Dist in favor, shall be the law governing mining property until changed or amended by a two third vote at a regular annual election—

Sec 1—All the males of the age of twenty one years & upwards who own mining claims in Morey Dis't shall be entitled to vote for Dist Recorder who shall be elected on the first Saturday of July of each year & it shall be the duty of the Recorder to post notices of such election ten days previous to the election at the most prominent places of business in the Dis't & the Recorder elected shall act until new one elected

Sec 2—It shall be the duty of the Recorder to keep the record books in good order—All notices of location shall be recorded in a plain & legible manner in full, & any person or persons who may desire abstracts of the Records it shall be the duty of the Recorder to furnish such persons with abstracts, provided his fees have been first tendered—

Sec 3—The Recorder shall appoint a Deputy Recorder who shall have equal power with the Recorder to transact business in the abscence of the Recorder Said Deputy shall be governed by the same laws as the Recorder—He shall receive a certificate of appointment which shall be placed on the record—

Sec 4—Upon the application of any person claiming to have made a discovery of a ledge, it shall be the duty of the Recorder if requested to go upon the ground & measure the number of feet (on an air line) claimed by said applicant, & cause to be erected a monument of wood or stone at least three feet high & of sufficient durability to permanently mark the boundaries of such claim—No person shall be entitled to hold more than two hundred feet on any one ledge, except by right of discovery, in which case he shall be entitled to two hundred feet additional—The location of an extension where the ledge can be shown shall be deemed a discovery—All locations shall include the dips, spurs, & angles of the ledge together with one hundred feet of ground on each side of the ledge for working said mine—

Sc. 5—Locations shall be recorded within 30 days from date of discovery notice, otherwise they shall be subject to relocation—After a ledge has been duly recorded the same shall not be subject to relocation for one year from date of record—provided there has been done on said ledge or property the assessment work required by the laws of the Dis't for that year—

Sec 6—The Recorder shall receive for his services one dollar for each name in all claims recorded & one dollar for each assessment work receipt given & recorded—

Sec 7—The assessment work necessary to be done to hold a claim for one year shall be at least three days for each ledge recorded—Provided that where a person or persons holding more than one ledge is living in the Dis't & engaged in actually working mines he or they shall have the right to aggregate the work done & if it is sufficient to cover all the claims it shall be deemed as having been done on all of his or their ledges—Provided further that the monuments shall be preserved on all of his or their ledges & notice served once a year in writing on the Recorder that he or they have not abandoned the ledge named in said notice, which notice shall be placed on record—

Sec 8—In the event of the abscence of the Recorder & Deputy Recorder caused either by death or resignation or otherwise for a period of thirty days, three or more qualified voters of the Dis't may declare the office vacant & may proceed to elect a Recorder giving public notice of the same by posting such notices of an election in three public places in the Dis't—

Sec 9—All claims of mining ground shall be made by a plainly written notice placed on a monument as described in Section 4th—Such notice of location shall contain the date of discovery, number of feet contained therein, with the names of locators—

Meeting held Sept 23d 1873—

O. W. F. Randolph Chairman—C. A. Ogden Secretary—

J. E. Cook elected Recorder—

On motion made & carried the chairman appointed a Committee of three to draft & present a code of laws for the government of this Dis't.

Meeting adjourned to Oct 1st 1873 & the com then to present report—

O. W. F. RANDOLPH *Chairman*—

J. C. OGDEN *Secty*—

CLAIM HOLDERS MEETING—

At an adjourned meeting of Mine claim holders & owners in this Morey Mining Dis't held at the dining saloon of Chas Baxter on the 1st day of Oct 1873 at 7½ o'clock, Recorder J. E. Cook in the chair & O. W. F. Randolph acting Sect'y—

The minutes of the last meeting were read & adopted

The chairman of the Com appointed Sept 25″ 1873 to draft a code of laws for the government of the Dist reported the following laws as agreed upon by the Com—which were read section by section & adopted by an unanimous vote—

The minutes were then read & approved

On motion the meeting was adjourned—Sine Die—

The following is a true & correct copy of the said laws as adopted—

Sec 1—Same as in original—

Sec 2—There shall be a Recorder elected on the 25th day of Sept of each & every year to hold his office for the term of one year (a majority of claim holders shall elect) unless he shall be removed during his term for good & sufficient reasons, which shall only be done by a written call signed by at least two thirds of the claim holders present at the time in the Dis't & then must be posted at least fourteen days in not less than three conspicuous places within the boundaries of said Dist, said notice stating the object of the meeting Provided however that in the event should there not be a meeting of the claim holders held on the 25th day of September 1874 or on any subsequent year for the purpose of electing a mining Recorder then & in that event the Recorder in office shall hold over until such next election, with the same powers as though he had been re-elected—

SEC 3—It shall be the duty of the Recorder to keep in a suitable book or books a full & truthful record of the proceedings of all meetings, adopting or amending mining laws for the government of this Dis't—To place on record all claims bro't to him for that purpose, recording the same in the order of their date, for which service he shall receive for each & every two hundred feet the sum of one dollar. It shall be the duty of the Recorder to keep his books open at all reasonable times for the inspection of the public—He shall have power to appoint one or more deputies to act in his stead for whose official acts he shall be held responsible—It shall be the duty of the Recorder to deliver to his successor in office all books records & papers, belonging to or in any way appertaining to his office. It shall be his especial duty that when he or his deputy shall go upon the ground for the purpose of making record & shall find that the location interferes with vested rights of prior locators, to notify the person or persons making such new location, that they are interfering with mining ground belonging to other parties. He shall keep a record of such notice—Provided however, he shall not refuse to make record of mining ground when called upon so to do—

SEC 4—All examinations of the Records must be made in the presence of the Recorder or his deputy—

SEC 5—Filing of a notice of claims by the locators thereof in the office of the Recorder, shall be equivalent to a record of the same so far as notice to third parties is concerned—

SEC 6—Whenever the sum of one thousand dollars shall have been expended upon any one vein or location the said claim or claims shall not be subject to relocation, but shall be the property of locators or owners who have made the expenditure—

SEC 7—Any person or persons discovering a lead with the intention of locating the same shall place on a stake or monument not less than two feet high a notice describing the number of feet taken up, the direction in which they claim from their notice & the names of the persons so claiming with date thereof—Every claim whether by individual or company shall be recorded within thirty days after date of *first* location notice & there shall be work done after recording the same to comply with the U. S. Law controlling the same—See 77—

SEC 8—Sec 2 of U. S. Laws regulating locations—
SEC 9—Sec 3 " " " " Rights of locators—
SEC 10—Sec 4 " " " " Tunnel rights—
SEC 11—Sec 5 " " " " Work & forfeiture—
SEC 12—Sec 14 " " " " Intersection of crossing veins—

SEC 13—The local regulations & mining laws of this Dist shall not be altered or amended without a two thirds vote of those present at any meeting held & then shall only be done at a meeting held according to the rule of notice & calling of a meeting for the purpose of removing a Recorder—See Sec 2—

SEC 14—The Recorder of this Dist shall at least seven days before the annual election of Dis't Recorder post notices in at least three conspicuous places within the boundaries of the Dis't—thereby giving all claim holders or owners in the Dis't an opportunity to make choice of such officer—& it is prohibited that any but a claim holder shall vote at any miners meeting in this Dis't—

SEC 15—No claim shall extend more than two hundred feet on each side of the middle of the vein at the Surface—

SEC 16—All local mining laws of this Dis't in existence prior to this act are hereby repealed—

J. E. COOK *Recorder Chairman of Meeting*—

Attest
O. W. F. RANDOLPH *Secretary*—

WHITE PINE COUNTY.—NEWARK MINING DISTRICT.

NOTICE

We the undersigned all male persons over twenty one years of age and holders and owners of mining claims not situated within the limits or boundaries of any organized mining district but being situated in Diamond mountains and 6 or 7 miles northerly of Pinto Creek in Lander County Nevada do hereby notify all persons that a meeting of the owners or persons interested in mines which may be included within the limits of said district when formed will hold a meeting at the Law office of C. A. Beard in Austin Lander County Nevada on the 7th day of November A. D. 1866 at 1 P. M. for the purpose of organizing a new mining district including the mines Above named.

The proposed boundaries for said new district are as follows, To Wit

The district shall be 10 miles square—The lines running due north and south and east and west, The mouth of, Beards creek being in the eastern line and three miles south of the northeast corner of the district.

This district shall be named Newark Mining District

Diamond Mountains, Lander County Nevada October 28th A. D. 1866

C. A. BEARD
S. M. BEARD
J. M. BEARD
J M. BAILEY
R. M. WIDNEY

FOUNDING OF NEWARK MINING DISTRICT

Be it remembered that on this 7th day of Nov A. D 1866. the folowing owners of mines in the county of Lander Nevada and within the limits of what are proposed as the lines of a new District for Mining purposes met at the law office of C. A. Beard in Austin in said county and state at the hour of 1 P. M. of said day according to previous notice for the purpose of organizing a new mining district as hereafter mentioned To Wit Benjamin Day J. O Winner. R. M. Widney J. M. Bailey J. M. Beard S. M. Beard & C. A. Beard at which meeting Benjamin Day was chosen to preside and C. A. Beard was chosen secretary

The notice hereto attached was then produced five copies of which had been posted in five conspicuous places within the limits of said proposed mining district—

On motion of R. M. Widney it was decided and carried by unanimous vote that the boundaries of said New district be as in the notice described which is here to attached.

On Motion of S. M. Beard it was unanimously decided and carried that said Mining District be named Newark Mining district in Lander County Nevada.

On Motion of R. M. Widney it was unamiously decided that the Nevada State mining Laws be adopted as the laws of said district.—

It was then proposed to elect a mining Recorder for said Newark District and by unamious consent J. M. Bailey was duly elected Mining Recorder for Newark Mining district Lander County Nevada

On motion said meeting then adjourned

BENJAMIN DAY, *President*

Attest

C. A. BEARD *Secretary.*

NEWARK NEVADA. *July 15th* 1867.

At a meeting of the Miners of Newark Mining District held this day at 7.30 P. M. Mr. G. P. Griffin was chosen President of the Meeting and J. M. Bailey Secretary the meeting was held at the office of the Recorder—

On Motion J. M. Bailey was unamiously reelected Mining Recorder for the next twelve months or one year—

On Motion the following the following resolutions were adopted—

1st That one days work on each claim of 200 ft shall hold the claim for one year and all claims upon which ten days labor has been performed shall hold said claims one year free from being subject to relocation.

2nd That any location made hereafter in this district—shall hold good sixty days—by placing a conspicuous notice of such claim in or near the center of the location—defining the boundaries etc—The same shall be recorded by the District recorder within 16 days after the location is made

3rd That the State Law—which was adopted for this district at the first meeting of miners holding claims in this district be hereby annulled.

4th That a committee consisting of two Viz G. P. Griffin and J. M. Bailey be and are hereby appointed to draft a set of Laws to govern the location and holding of all claims and general laws for the district not to conflict with the former resolutions of this meeting said committee shall have sixty days for this labor before submitting them to the stock or claim holders at the next meeting.

On motion the meeting adjourned to meet two months from this date

G. P. GRIFFIN Pres.

J. M. BAILEY *Sec.*

J. SHERMAN
J BAILEY
J. W. BEARD

NEWARK DISTRICT *Aug* 15 68.

The committee appointed to draft a set of laws to govern the location and holding of Mining Claims in this district respectfully submit a copy of the Reese River Mining district Laws as their choice for local laws in this district is which were accepted at the meeting of this date

J. M. BAILEY
Sec. of meeting and Mining Recorder of Newark District

MINUTES OF A MEETING

The miners of the Newark Mining District White Pine County Nevada held March 4th A. D. 1874 at the office of the Newark Mill for the purpose of Electing a recorder for the District.

On motion of J. H. Wade Mr Jarvis Johnson was unanimously chosen as chairman of the meeting and J. R. Jacoby as Secretary

On Motion the reading of the Minutes of the minutes of the meetings of November and December last was called for—

After the Reading of the Minutes and consederable discussion thereon the adoption of the minutes of December first was rejected by nearly a unanimous Vote:

On motion Messrs Shannon Wade & Harlan as a Committee to report to the meeting on the qualification of voters

On motion the meeting then adjourned to meet at half past Six oclock

JARVIS JOHNSON *Chairman*

J. R. JACOBY *Secretary*

The meeting Convened at half past six Oclock P. M. pursuant to adjourment The committee appointed to investigate the legal Qualifications of Voters handed in the following written report

COPY OF REPORT

The committee appointed at the miners meeting held at the office of the Newark Mill on the 4th day of March A. D. 1874 makes the following report after carefully examining all authorities in their possession on the legality of non claim holders voting at any election for mining Recorder

The committee having carefully examined the laws of the United States on subject fail to find any thing in opposition to Citizens of the United States voting unless a majority of the voters in a mining Camp should make laws requiring possessory ownership in mines or claims you committee therefore recomend the only list as a qualification is to be a Citizen of the United States and in case of a challenge the Judge of the Election shall in all cases demand of the voter to produce his naturalization papers and failing to do so shall be sworn by the Judge of such Election

Hoping the foregoing report may meet with approbation by all present

We are most Humbly your Committee

T J HARLAN
J H WADE
C R SHANNON
com.

On motion the Report was accepted and ordered on file and the committee was discharged

On motion it was resolved to appoint a committee to draft Laws and regulations to govern the District Messrs Clark McAfee Shannon Maupin and Burns was selected as such Committee and was unanimously Elected by acclamation to fill such a position,

On motion it was resolved to adjourn to meet on the 20 Inst. at Six Oclock P M. Sharp

JARVIS JOHNSON *Chairman*

T. J HARLAN *Secretary Pro Tem*

At a meeting of the miners of Newark mining district held on March 20th 1874. Mr Jarvis Johnson was called to the chair and T J Harlan was chosen secretary

The meeting being called to order the minutes of the meeting of march 4th were read by the Secretary and on motion was unanimously approved

The Committee appointed to draft Laws and regulations for the government of the District handed in their report which was accepted and laid on the table for further discussion The committee was then discharged.

On motion it was resolved that the Secretary should read each section or article of the report of the committee and that each should be voted upon separately

The secretary then read the report on the Laws and regulations and Articles 1, 2, 3, and 4 was adopted unanimously without any amendments Article 5 was amended so as to read caused to be kept instead of Keep in a suitable Book &c with this amendment the article was unanimously adopted Article 6th was read and adopted without any amendments Article 7th was amended to read ten claim holders instead of Twenty and with this amendment was unanimously adopted On motion of M S D Clark article 8 was amended as to read as follows The recorder shall receive Five dollars for recording a claim of three names or less and Fifty cents for each additional name when the notice of such locations are brought to this office for record but when he may be required to go upon the ground by the parties desiring to make a location he may charge whatever he may deem reasonable for such extra service with this amendment the article was unanimously adopted Article 9 was adopted without amendments Article 10 was unanimously adopted without amendments after Considerable discussion on motion of Mr Gilmore to amend to read Ten Claim holders instead of Twenty but upon a vote the proposed amendment was lost and the article adopted Article 11

On motion of Captain McCourt a Considerable discussion was had to so change or amend this article to read from this date instead of all claims located in the district but the proposed amendment was lost by a large majority and the Article was adopted without any alteration

On motion of the Secretary and Seconded by Mr Clark it was resolved that the Recorder be requested to procure a new Book Carried On motion of Mr Shannon Seconded by Mr Clark the meeting adjourned to meet at the call of the Recorder Carried

JARVIS JOHNSON *Chairman*

T J HARLAN *Secretary*

A True Copy of the amended laws as adopted by the miners at a meeting held for that purpose at the Newark Mill on March 30th 1874

ARTICLE 1st. The boundaries of the district shall remain the same as Originally formed and all locations made after this date shall be made and governed strictly by the Laws of the United States

ARTICLE 2nd. All claims located after this date shall be Recorded within ten days after such location Or failing to do so shall be forfeited

ARTICLE 3rd. The Recorder elected shall hold Office for the term of one year from the fourth day of March.

ARTICLE 4th. The recorder may appoint one or more deputies for whose official acts he shall be held responsible

ARTICLE 5. It shall be the duty of the Recorder to keep or cause to be Kept in a suitable Book or Books a full and truthful record of the proceedings of all public meetings and to place on record all notices of locations that may be brought to him for that purpose any notice on file in the Office of the Recorder shall be deemed a record of the same.

ARTICLE 6. All examinations of the recorder's Books shall be done in the full presence of the Recorder or his deputy

ARTICLE 7th. The Recorder shall call meetings at any time when requested to do so by a written request signed by not less than Ten claim holders and shall preside at the same A notice of such meeting must be given by the recorder by a written notice posted in three public places in the district for a period of ten days previous to said meeting

ARTICLE 8. The Recorder Shall receive Five dollars for Recording a claim of three names or less and fifty cents for each additional name when the notices of such locations are brought to his office for Record but when he may be required to go upon the ground by the parties desiring to make a location he may charge whatever he may deem reasinable over and above the amount stated for such extra Services.

ARTICLE 9th. The Election for recorder shall be held on the first monday in February in each year.

ARTICLE 10th. Three Laws or regulations may be altered or amended by a vote of two thirds of the claim holders of the district after giving a written notice of the same signed by Twenty claim holders and posted in 3. public places in the district for not less than thirty days prior to said day of such meeting. The notice calling the meeting shall state the object of such meeting to be to change alter or amend said laws

ARTICLE 11th. All claims located in the district shall not be entitled to more than fifty feet on each side of the Ledge.

NYE COUNTY.—HOT CREEK MINING DISTRICT.

At a meeting of the Miners held on the 1*st day of January* 1867 at the town of Irvington in Hot Creek Canyon agreeable to a written call signed by the resident miners & claim holders of the Dis't & posted in three conspicuous places within the boundaries of the Dist of which the following is a true & correct copy—

NOTICE CALL FOR A MINERS MEETING—

We the undersigned claim holders of this Hot Creek Mining Dis't do hereby call for a meeting of the miners of the Dis't to be held at Gerow & Sturges Saloon in Hot Creek Canyon of the 1st day of January 1867 at the hour of 10 o'clock A M. The object of said meeting is for the purpose of taking into consideration the subject of and adopting such rules & regulations for the government of the mining interests of this Dist as shall be deemed best by a majority of the claim holders—Believing as we do that the present State mining law is obnoxious & that the U. S. law gives us full right to take up the public lands for mining purposes, & that we have a right to make such mining laws for our own government as do not conflict with said law of Congress, a right that has been acceeded throughout this State & California since the discovery of mineral lands on this coast—

NYE COUNTY NEVADA—*December* 21*st* 1866—

Mr Thos F. Gould was elected Chairman & Mr J. W. Gally was elected as Secretary of the meeting—

The Secretary read the call which stated the object of the meeting—

Moved—That the Secretary read the "United States law" as to show what the Congress required in the process of acquiring title to claims—law read—

Moved—That the meeting proceed to create & adopt a code of mining laws for the government of this Dis't—passed—

Code of laws presented by the miners and read the Secretary after which they were adopted by a unanimous vote of which the following is a true & correct copy to wit—

SEC 1—The boundaries of this the Hot Creek Mining Dis't shall be as follows, on the North by the second canyon north of "Hot Creek" on the South by the first divide south of "Rattle snake" canyon, on the West by the "Hot Creek" summit, & on the East by the table lands on the East side of the "Shoshone" Valley—

SEC 2d There shall be a Recorder elected on the first Saturday of January of each year to hold his office for the term of one year unless sooner removed by a new election which can only be done by a written call signed by at least two thirds of the claim holders present at the time in the district & then must be posted at least twenty days in not less than three conspicuous places within the boundaries of said District—

SEC 3d—It shall be the duty of the Recorder to keep in a suitable book or books a full & truthful record of the proceedings of all public meetings adopting or amending mining laws for the Government of this Dis't, to place on record all claims brought to him for that purpose & such claim shall not interfere with or affect the rights & interests of prior locators recording the same in the order of their date for which service he shall receive the sum of one dollar for each & every claim recorded It shall also be the duty of the Recorder to keep his books open at all times to the inspection of the public, he shall also have the power to appoint one or more deputies to act in his stead for whose official acts he shall be held responsible. It shall also be the duty of the Recorder to deliver to his successor in office all books, records & papers belonging or in any way pertaining to his office, The Recorder shall within 30 days from date of his election give a bond in the penal sum of Five hundred dollars, signed by at least two responsible persons as sureties, duly sworn & the said bond shall be placed on file in the County Recorders office of the County in which the aforesaid mining Dis't shall be located—

SEC 4″ All examinations of the records must be made in the presence of the Recorder of his Deputy—

SEC 5″ Filing of a notice of claims by the locators thereof in the office of the Recorder shall be equivalent to a Record of the same—

SEC 6—Each claimant shall be entitled to hold by location, 200 feet on any ledge with all its dips, spurs, angles, offshoots, depths widths & variations & all the minerals therein contained, the discoverer & locator of a new lead being entitled to one claim additional for discovery—All locators of mining claims within this Dis't shall be entitled to hold on each side of their ledge, one hundred feet for mining purposes—

SEC 7—Provided—That no person may make more than one location on the same lode & agreeable to a "Bill" to legalize the occupation of mineral lands & made a law by being passed at the last section of Congress of the U. S of America not more than three thousand feet shall be taken in any claim by any association of persons—

SEC 8—Any person or persons discovering a new lead with the intention of locating the same, shall place on a stake or monument not. less than three feet high, a notice fully describing the number of feet taken up, the direction in which they claim from their notice & the names of the persons so claiming, with date thereof, so that all persons, the Recorder included shall know that such location is made in good faith—Every claim whether by individuals or company shall be recorded within thirty days after date of location notice—

SEC 9—There shall be done for each & every claim of two hundred feet held by any person or persons, one days work for each & every month, which shall hold said claim for thirty days thereafter, but nothing in this section shall be so construed, as to prevent said person, persons or company from doing the requisite amount of work at any one time to hold their claims for six months—

SEC 10—Work done on any Tunnel, Shaft or Drift or Cut in good faith, shall be considered as done upon the claim owned by such person, persons or company & all moneys expended in good faith by any person or company in the purchase or erection of Arastra or Mill or for the erection of any buildings or improvements, necessary to the developement of any claim or claims owned by the parties expending the same, shall be considered as expended upon any claim or claims owned by the parties expending the same—

SEC 11—Whenever one thousand dollars shall have been expended on the claims of a Company in this Dis't, the ground so claimed by the Co, shall be deemed as belonging in fee to the locators thereof and their heirs & assigns, & the same shall not be subject to location or relocation by other parties ever after, except by acknowledged abandonment by the Co of the ground which shall be construed to mean an entire abandonment after lying one year, except when claims are in litigation

SEC 12—The Recorder of his deputy shall go upon the ground when so requested with any & all persons desiring to locate claims, & it shall be his further duty to measure any & all claims when so requested, & make or cause to be made good & sufficient land marks defining said claim or claims & he is prohibited from making any location for any person persons or Company without complying with this section, seeing their boundaries fully defined—

SEC 13—Nothing in these laws shall be so construed as to interfere with any prior rights of claim holders, made either under former Dis't laws, or the so called State Mining laws—

SEC 14—These rules or mining laws may be altered or amended by a two thirds vote of those present at any meeting called in the manner prescribed in Section "2" of these rules, for calling a meeting for a new election of Recorder & the call or notice shall express the object of said meeting—

On motion of I. N. Irwin State mining laws were repealed—

Moved by I. N. Irwin that the code of laws adopted by this meeting be & are in force for the term of one year from this date—Carried—

F. F. GOULD *Chairman*—

J. W. GALLY *Secretary*

Meeting held 17″ Aug 1867—

Moved that there be a committee of five appointed by the chair to draft such amendments to our present laws as they shall deem necessary Carried—

After recess, meeting came to order, report of Committee read & accepted—That the laws as amended & reported by the Committee be adopted & that the vote upon the same shall be by ballot—lost, whole no of votes cast being 25—10 "no's" & 15 "yes"

Moved that the meeting now adjourn & that the present laws remain in force—

Meeting adjourned at 4 o'clock P. M.

I. N. IRWIN *Chairman*

Attest—

J. E. COOK *Secretary*—

Meeting held July 1872—

J. E. Cook Chairman—J. B. Hudson Sct'y—

A code of laws for the Gov't of this Mining Dis't were presented & unanimously adopted—

J. E. Cook elected Recorder—

Meeting adjourned—Sine Die″

J. E. COOK—*Chairman*

J. B. HUDSON *Sect'y*—

The following is a true & correct copy of the laws rules & regulations adopted by the claim holders at their meeting held on July 13″ 1872—

SEC 1—The boundaries of this Hot Creek Mining Dis't shall be as follows—On the North by the second Canyon north of Hot Creek Canyon or town, being what is known as four mile canyon, on the south by the Summit ridge first south of Rattlesnake Canyon on the West by the small Valley laying between "Eagle Pass" Mt & the Diamond or Hot Creek range of Mts & on the East by the Centre of Hot Creek Valley—

SEC 2—Same as reported
" 3 " " "
" 4 " " "
" 5 " " "
" 6 " " "
" 7 " " "
" 8—Being Section 2. U. S. Laws regulating locations—
" 9—Being Sec 3—U. S. Laws—rights of locators—
SEC 10—Sec 4. U. S. Laws—Tunnel rights
" 11— " 5 " " " —Work—
" 12— " 14 " " " —Intersection of Crossing veins—
SEC 13—Same reported—Alterations or amendments—
" 14— " " —Election of Reporter—
SEC 15—All local mining laws of this Dis't in existence prior to this Act, are hereby repealed—

J. E. COOK *Chairman*—

J. B. HUDSON *Sect'y*—

Meeting held Nov 23d 1879—Called for the purpose of Consolidating "Argenta" & "Hot Creek" Mining Dists, the adoption of suitable laws & the election of Recorder—

D. P. Walter. Chairman—E. Culver Sect'y—

On motion made & carried the Argenta Mining Dis't was annulled—

On Motion made & carried the laws of Argenta Mining Dis't revert to Hot Creek Dis't—That laws concerning $1.000 being expended upon a location exempt it from being relocated be stricken out of existing laws—That the charges of Recorder for his services for locating a claim shall not exceed 5.00 J. B. Hossack elected Recorder—

D. WALTER *Presd't*—

E. CULVER *Sect'y*—

WHITE PINE COUNTY.—ROBINSON MINING DISTRICT.

PROCEEDINGS OF A MINERS MEETING HELD AT SUMMIT SPRINGS LANDER COUNTY STATE OF NEVADA FOR THE PURPOSE OF ORGANIZING A MINING DISTRICT AND ADOPTING LAWS AND REGULATIONS THEREFOR HELD ON THE SIXTEENTH DAY OF MARCH 1868

The Meeting having assembled and the hour for business arived Robt Frazer was called to the chair and Charles A. Schenk appointed Secretary.

The object of the meeting having been stated,

On motion a committee of the five following persons. Thomas Robinson John McCann, John Heuss, Robt Frazer and Charles A. Schenk was appointed to draft and report a code of laws for the district, who then withdrew to consult and afterwards reported the following, which were adopted and ordered to be entered on Record as the laws and regulations of the District

Art I. This District shall be known by the name of the Robinson Mining District—and be bounded as follows,—Beginning at a point situated at the foot of London hill, marked by a monument of rocks, within and distance from Summit Springs about ¾ of a mile in a driction West by North; running Thence West 10 miles; Thence North 3 miles to North West corner of District, Thence East 20 miles to North East corner of District; Thence South 6 miles to South East corner of District; Thence West 20 miles to South West corner of District and containing 120 Square miles

Art I Of the Recorder

1.) There shall be an officer for said District to be called the Recorder, who shall be elected on the annually by the miners of the District at their annual meeting

2.) He shall procure and keep a substantially bound book to be called „the Book of Locations" in which he shall record in the order in which they are presented for the purpose all notices of location of claims whether for mining or other purposes

3.) He shall prepare and keep a full, complete and accurate Index to the Book of locations. He shall carefully keep and preserve all original papers filed with him for Record and deliver them upon proper demand to the parties or persons entitled to receive the same and faithfully do and perform all other acts and duties required of him by these laws

4) He shall hold his office one year and until his successor is chosen and inducted into office; Provided however, that he may be at any time removed for misconduct in office

5.) He shall keep his books open at all reasonable hours for examination and inspection, he may appoint one or more Deputies under him for whose official acts he shall be held responsible All examinations of Records must be made in the presence of the Recorder or his Deputy; and when his term of office shall expire the Recorder shall turn over to his successor all books, papers and other property appertaining to his office

6.) He shall note on the back of each notice of location or other instrument filed for record the day and hour of filing there of and such instruments shall be deemed recorded from and after the date of such filing on record

7.) When a claim shall have been located and filed for record, before recording the same, he shall go with the discoverer to the lode, to ascertain the situation of the place of discovery, the bearing, longitudinal extent and width of the lode. the number and position of other locations in the vicinity of the same, From these he shall make a description to be recorded with the instrument of location

8.) When a claim shall have been located and recorded he shall upon request make and deliver to the claimant, his agent or attorney a certificate of such location and record which certificate shall be conclusive evidence of the facts therein stated

9.) The Recorder shall be authorized to demand and receive for his services the following fees, to wit:

For inspecting and describing a lode five Dollars
" recording each claim one half Dollar
" each certificate
For exhibiting and examining record
And in no case shall he be compelled to render services until his fees are paid or tendered.

10.) All elections of the recorder after the first election shall be by ballot

11.) No person shall be eligible to the office of District recorder unless at the time of the election he is entitled to vote for District recorder

12) No person shall. be entitled to vote at any meeting of miners unless he owns a bonafide Interest in a mining claim in this District

Art III Of claims and locations.

1.) Any person may locate minings claims in favor of others; but no person shall be entitled to hold by location more than two hundred (200) feet of any ledge except by virtue of discovery of the same for which he shall be entitled to hold two hundred feet additional. No claim shall in the aggregate exceed in extent three thousand (3000) feet on any one ledge

2.) No person shall become a locator in more than one claim on the same ledge and any second location made on the same ledge by or in the name of a party already located on such ledge shall be void.

3.) Any location made on a ledge shall be deemed to include all the dips spurs angles and variations of said ledge. The locators of any ledge shall be entitled to hold one hundred feet on each side of the same not interfering with the mining rights previously acquired by others and all dips, spurs angles. variations strings and feeders within such area of two hundred feet by the extent of the claim on the supposed line of the ledge as located shall be considered as claimed and held by said locaters and a part of said ledge and no ledge in any claim subsequently located shall be followed and worked within said area, without the permission of the holders of said area, All measurements of boundaries shall be horizontal air lines

4.) Each claim of two hundred feet in length is hereby declared to be a consolidated undivided interest of the whole number of feet located on one lode and the discoverer has the right to designate the names of any number of real persons not exceeding fifteen as claimants of a lode discovered, but the names must clearly appear in the notice of location filed for Record

5.) Any person discovering a lode shall on locating the same erect a conspicuous monument of rock or other durable material at the point of discovery and have thereto affixed a written notice specifying the name of the lode the name of the discoverer the date of discovery, the names of the claimants the extent of the Lode on both sides of the place of discovery and also the probable course of the lode

6.) All claims must be recorded within thirty (30) days after a notice of location shall have been posted on a lode, but notice filed with the recorder for record shall be deemed equivalent to recording the same. Provided however that these provisions shall not apply to the locations made previous to the organization of this District, which said locations may be recorded in thirty (30) days after the organization of said district

7.) Within twelve (12) months after the making of a location there shall be done on each location as work to hold the same excavation involving the removal of fifthy cubic feet of earth or loose material, or five cubic feet of solid rock for each two hundred feet in the location which work shall be sufficient to hold said claim from the date of record of said lode, Provided however that the first discoverers and locators in the district shall have until the 15. day of July 1869, in which time to perform the above work on all claims located by them previous to the first day of April 1868. Provided further that the above assesment work on all the lodes located by one party may be done on any one two or more lodes belonging to the same parties

8.) When the above amount of work is done on said claims, it shall be the duty of the recorder to issue a certificate of the fact to any of the locators calling for the same who have complied with the requirements of these laws, which cirtificate shall be prima efficia evidence of the ownership to such location

9.) All claims for Gold surface diggings in this district shall be one hundred feet square

10.) Any person or persons may acquire the right to excavate a tunnel. by erecting at the point of commencement a monument such as is required in the location of a lode and thereto affixing a notice in writing specifying the name or names of the persons claiming the right; the course such tunnel is intended to run the extent thereof and also the lode or lodes it is intended to cross, and a similar notice designating with reasonable certainty the point of commencement must be filed and recorded in the recorders office

11.) The extent of a tunnel right shall not exceed two hundred (200) feet on each side of the center of such tunnel and five thousand feet in length and all veins or lodes crossed and not previously discovered and located may be located by the person or persons excavating such tunnel. The right to the use of water found in such tunnel belongs also to the parties excavating the tunnel.

12) Locations made on water for mining purposes or for mill priviliges shall be respected when recorded in the office of the District Recorder and locators thereof shall be subject to and enjoy all the rights and privileges confered by these laws

13.) Work done or money applied in the construction of a tunnel shall be considered as done upon and applied on any and all claims belonging to the person or persons engaged in constructing such tunnel.

14.) Should claimants be prevented from working on their claims by local insurrection or rebellion or by Indian hostility the claims shall not be forfeited

On motion it was also ordered that the National Mineral Land Laws and the laws of this District be recorded in the book of locations.

On motion the meeting adjourned *sine die*

ROBINSON MINING DISTRICT
White Pine County State of Nevada March 15th 1869

Pursuant to a call made by the recorder of Robinson Mining District the miners of said District met at the Robinson Cabin and the following business was transacted. The meeting was called to order by the recorder and on motion the Old Laws of Robinson District were duly declared adopted. And on motion Mr John N. Hicks was declared duly Elected Recorder of said District. The Books of said District to be delivered to Mr Hicks on the 17th day of March 1869 on motion the chair adjourned the meeting for one year

J. A. MARSHALL *Chairman*

S. B. ROSS *Sec*

ROBINSON DISTRICT *April* 30*th* 1869.

At a stated meeting held at Mineral City Robinson District White Pine County—Nevada for the purpose of Amending and forming Mining Laws for the District. the meeting was Organized as follows

On motion of J. T. McNamara Geo. W. Lamb. was called to the chair and W. J. L. Moulton was Elected Secretary.

The Object of the meeting being Stated by the President the following Laws were Unanimously adopted by Sections

SECTION 1st The Recorder shall go on the ground and Record all claims and shall measure the ground claimed for which he shall be allowed Fifty (50) Cents for each name contained in each notice of Location, and when the Location shall be over one mile from the Recorders Office the Recorder shall be allowed Fifty (50) Cents for each mile Nesasarily traveled in going to and returning from the Mine

Second. When a claim is Located and the proper Notice put on it there shall be allowed Ten (10) days from the date of Location to Record the Notice of Location and forty (40) days from the date of Location in which to do the proper amount of work on the Location and have the same surveyed and Recorded to hold the claim for six months

Third. Two days work must be done upon each Mining claim at a point to be selected by the owners or Superintendent of the mine within Forty days after such Location is made and the work so done Must be Recorded and Surveyed by the Mining Recorder of the District within forty days of the date of Location of the Mining claim, and any claims upon which the Nesasary work is not done and duly surveyed and Recorded as herein provided shall be subject to relocation and the title to said mine when relocated shall be fully and completely vested in the relocators. Said work and Records of survey of work shall hold the claim for Six months from date of Location. But no amount of work done upon any claim shall hold the mine unless the same is surveyed and Recorded as herein required. The Recorder shall be required to go upon the ground of the mine and survey the work done and shall record the same in a Book to be kept for that purpose and shall be allowed Two Dollars for making the Survey of the work and Recording the same and Fifty Cents a Mile for each mile nesesarily traveled in going to and returning from the Mine when the Mine is Located over one mile from the Recorders Office

Fourth. The Recorder shall place upon the Records immediately following the Record of Location Notice a brief description of the claim named in the Location Notice.

Fifth. The Recorder shall have the right to appoint one or more Deputies who shall act under the direction of the Recorder and they may be appointed and removed at the will of the Recorder of the District

Sixth. A. True copy of Location Notice shall be placed upon the mine claimed and no two companies of the same name shall be placed upon the Records

Seventh. Each claimant shall be entitled to hold by location Two (200) Hundred feet on any Ledge in the district. with all of its dips, spurs, and angles of shoots, Outcrops Depths. Widths, Variations and all the mineral and other valuables therein contained. the discverer or locator of a New Lead shall be entitled to one claim of Two (200) Hundred feet Extra for Discovery

Eighth. The Locator of any claim, shall have the right to make a Square Location and by bounding the same and plainly marking the boundaries thereof shall be entitled to all mineral Veins, Lodes Quartz or Gold or Silver or other Mineral bearing Earth or Rock found within the boundary line of said Locator or Locators shall have the right to follow the dips of any Ledge Lode or Deposits or all of them where ever they may lead. Each locator shall only be entitled to Two (200) Hundred feet square in the same Location. Except the discoverer No person shall gain Title to any Ledge Lode or Deposite or Mining ground by any work done or to be done within the boundary line of any other companies claim and any such work shall be deemed a Trespass unless the first Locator or Locators have failed to comply with the requirements of these Mining Laws

Ninth. The Locator of any Ledge. Lode, or Deposite in the District shall be entitled to hold one Hundred feet in width on each side of the Ledge for working Mining and Milling purposes and shall within Forty days after Location plainly define the boundary of his claim by the rection of Stakes posts or monuments so that others may redily perceive the boundary line of the claim.

Tenth. The Recorder may absent himself from the District not exceeding Sixty (60) days by leaving a deputy Recorder to attend to the Records of the District, all examinations of the Record must be done in the presence of the Recorder or his deputy and the Books shall at all times be open to the inspection of the Public.

Eleventh. The Recorder shall be allowed Fifty (50) cents for each name on any abstracts of Record furnished by him

Twelfth. The Mining Recorder shall hold Office for one year from the date of his Election in case of the Death or resignation of the Mining Recorder a meeting of the miners of the District shall be called by the deputy Recorder if there be one and if there be no Deputy Recorder in the District then a meeting shall be called for the Election of a Recorder by any miner in the District, by posting a written notice thereof for three days on the House occupied as the Recorders Office

Thirteenth. These By Laws may be amended at any time by a meeting of the miners of the District by posting a Notice of a meeting on the Recorders Office Ten successive days signed by Ten miners of the District

There being no farther business before the meeting the meeting adjourned *Sine Die*

GEO. W. LAMB *President*

WM J. L. MOULTON *Sec*

MINERAL CITY ROBINSON DISTRICT *White Pine County, State of Nevada April 30th* 1869.

ROBINSON DISTRICT *Sept 21st* 1869

At a special meeting of the miners of Robinson District called by Notice posted in two public places. for a period exceeding Ten days the following business was transacted

The meeting was called to order by E. A. P. Pyne who nominated Judge Prescott Robinson as president of the meeting who was by motion duly chosen. T. B. Ludlum was by motion chosen as Secretary of the meeting

The president stated that the meeting was held in compliance with the following Notice which was read by the Secretary

Notice

We the undersigned Miners of Robinson District call a Miners meeting to be held at the store of M. Driskel Mineral City. White Pine Co. State of Nevada on Tuesday the 21st day of September 1869 at the hour of 7. oclock P. M. for the purpose of electing a District Recorder in the place of John N. Hicks who has forfeited his office by absence from the District according to Sec. 10 of the Bye Laws approved April 30, 1869

ROBT FRAZER	JOHN McCANN	STEPHEN KELLEY
N. T. WARD	HRY FEATHERSTONE	FRANK HENDRICKS
C. D. EMERY	JAS FOLEY	E. P. A. PYNE
JOSEPH EVANS	MATT CULLEN	J. T. BELL

E. P. A Pyne read the following Preamble & Resolutions which were by motion adopted.

Whereas J. N. Hicks who was declared elected Mining Recorder of this District at a meeting held on the 15th day of March A. D. 1869 has been absent from the district more than Sixty days to wit from the 12th day of July A. D. 1869 to the 20th day of September A. D 1869, and whereas the said John N. Hicks has violated Section 10 of the amended Laws of the District in consequence of such absence and has thereby forfeited said office of Recorder and all claim thereto. Therefore be it

Resolved that the office of Mining Recorder be and the same is hereby declared vacant Resolved that we the Miners of this District now proceed to the election of a Recorder to fill the vacancy in said office

MINERAL CITY Sept 21. 1869

On motion the meeting adjourned

PRESCOTT ROBINSON *Chairman*

T. B. LUDLUM *Sec*—

WHITE PINE COUNTY.—SACRAMENTO MINING DISTRICT

MINING LAWS OF SACRAMENTO MINING DISTRICT WHITE PINE COUNTY—ADOPTED APRIL 17″ 1869—

A company of Miners consisting of S. C. Bastion, John Bastion. I. I. Kyle, J. C. Young Oscar Burnap Paul Connors, L. I. Furber J. W. Furber & I. G. Monroe met on the above named day for the purpose of forming a district

The meeting was called to order & I. I. Kyle was chosen to act as president of the meeting—

1st Motion made & carried that this district be known as Sacramento Mining district—Bounded on the South by summit of first range of Main Mountain & running thence north ten miles to summit of Range of Mountains, from thence East two miles or to the divide between Little Snake Creek & Spring Valley, Thence West along Southern boundary to East edge of Spring Valley—

2d On motion J. C. Young was nominated & duly elected mining Recorder of Sacramento Mining District to serve until 1st day May 1870—

3d On motion the following by-laws were presented & adopted

4th There shall be an election for new Recorder of the 1st day of May of every year dating from May 1870 who shall be in office as Recorder for a term of one year unless by death removed resignation or by other reasons—When a notice signed by 10 miners of the district can call a meeting published by a notice posted 10 days in the district—

The Recorder shall go on the ground before filing any notice of location & see that such locations do not in any manner conflict with any prior locations for which he shall receive the sum of $1.00 for each name recorded—After which said claim duly recorded shall not be subject to relocation except in case hereinafter mentioned—

Each claimant shall be entitled to hold by location one hundred feet square in Lime Stone formation—& five hundred feet along the ledge—Either in Granite or Slate with fifty feet on each side of such location together with all the dips, angles, spurs, offshoots, outcrops depths, widths variations,—Earth, quartz & all the mineral & other valuables contained within the limits or boundaries of this or their location—And no other person shall have the right to locate or work inside of such locations—The discoverer of or locator of either 100 ft square or 200 ft on any new ledge or deposit be entitled to one claim for discovery—All locations shall be made by a written or printed notice posted upon their ground & in center of location—It shall be the duty of the Recorder to keep a set of books or a suitable book wherein to enter & keep a truthful record of all public meetings held by the miners of the district—To record all claims put on notice or brought to him for record, when such claims do not conflict, interfere or affect the interests of prior locators—Always recording the same in true order of date. His books shall be open at all times to the inspection of the public & He shall have the power to appoint a deputy to act in his stead—It shall be the duty of the Recorder or his deputy to deliver to his successor in office all books, records papers belonging to or pertaining to his office—All examinations of the records must be made in the full presence of the Recorder or his deputy—The notice of any individual or company on file in the Recorders office shall be equivelent to a record of the same—

Every claim located by individuals or company shall be recorded within ten days after location—The Recorder shall be allowed fifty cents for each name on any abstract or record furnished by him—Each claim of 200 ft in length or 100 ft square now located & all similar locations hereafter made shall have work done on the same to the amount of 5 cubic feet of blasting & eight cubic feet of picking either by shaft incline or tunnel within 40 days after recording—Work done upon any portion of a Company claim shall be considered done for the benefit of the whole Claim—

When any person in a company refuses to do the necessary amount of work on their claim as required by the laws of the district & after being notified by placing a notice on the Recorders office for 20 days the other portion of the Company shall give notice by writing to the Recorder & designate what portion or part of the claim & have that part of the claim worked according to the laws of the district. The remaining portion being subject to relocation—All claims having the required amount of work done as called for by the laws of the district shall hold good for one year—

The above laws cannot be amended or altered except by a two third majority & none but actual miners of the district shall have a right to vote—These laws shall take effect on & after the 17th day of April 1869—

J. C. YOUNG *Recorder*

At a meeting of the miners of Sacramento Mining District held in pursuance of notice on Saturday April 30″ 1870 at the Recorders office in Sacramento John C Bastion was nominated & elected Recorder of Sacramento District to serve for one year dating from 1st day of May 1870—

Resolved that four days work done on any location (now made & recorded in this district) between now & the 1st day of July 1870 shall not be subjected to relocation hereafter—But this shall not be so construed as conflicting with Article 16″ of the By-laws—

Meeting adjourned—

JOHN C. YOUNG *Recorder*

MAY 1st 1870—

At a meeting of Miners of Sacramento Mining District held pursuant to a notice on Monday May 15″ 1871. Geo G. Blair was nominated & elected Recorder of Sacramento District to serve for one year from May 1″ 1871

Resolved that Section 20″ of the by-laws be amended so as to read as follows

All locations now made shall have four days work done on each companies' ground between May 1″ & July 1st of each year & the same recorded on the District records. And all locations made hereafter shall have four days work done on each Company's ground within 30 days after recording—the same to hold good for one year—But nothing in this shall be so construed as conflicting with Art 16″ of the by-laws—

GEO G. BLAIR *Recorder*

SACRAMENTO DISTRICT *August* 26″ 1872

At a meeting of the miners of the district J. S. Matson was elected Mining Recorder—

On motion of F. M. Hix it was

resolved that all locations made from this date should be made & worked under the mining act of Congress of May last & the act be adopted as part of the by-laws of Sacramento District—Aug 26″ 1872—

Resolved that all locations made under the old by-laws of the district & not represented as required shall be subject to relocation—The records of Sacramento district are continued in book B—commencing at page 61 of said book—

J. G. MONROE *Recorder*—

A. LINTON *Secretary*

BY-LAWS OF OSCEOLA MINING DISTRICT NYE COUNTY NEVADA ADOPTED OCTOBER 11″ 1872

A company of miners consisting of J. S— Matson. F. M. Hix & G. G. Blair met for the purpose of organizing a district and passing by-laws and regulations for the same—

On motion J. S. Matson was chosen chairman and G. G. Blair Secretary of the meeting and the following by-laws & regulations were adopted—

1st The district to be known as the Osceola Mining District and situated as follows—Commencing at the Spring in spring Valley where the old snake trail leaves the wagon road which runs from Santa Rita to Sacramento Mining District thence north two miles or

to the White Pine Co line thence east to Sacramento or Simpsons pass thence South to Wheelers peak thence West to the head of & down Willard Creek to Spring Valley thence North to the place of beginning—

2d A meeting of the miners shall be held on the first day of October of each year for the purpose of choosing a Recorder who shall hold his office for one year or until his successor shall be elected and qualified & for the transaction of other business which may come before the meeting—A notice signed by one third of the miners present in the district and posted for 10 days in three conspicuous places within the district, may call a meeting of the miners of the district to amend the by-laws or for the transaction of any business set forth in the call of the miners, so posted for 10 days—

3d Each company of one or more persons shall be entitled to 1500 feet in length upon any vein or lode or ledge with 300 feet on each side of the centre of the ledge with all mineral and ledges within the boundaries of the 300 feet on each side of the ledge in accordance with the act of Congress of May 10th 1872—

4th Each locator shall have 20 days from date of location to record the same on the district records and sixty days to perform four days labor upon the ground located and one year to perform 100^{00} worth of labor as required by act of Congress of May 10″ 1872—

5th It shall be the duty of the Recorder to go upon the ground & mark the course of the ledge, and measure off & mark the boundary of every claim before filing the same for record—and designate the location of each claim by field notes in referance to some natural object for which service the Recorder shall be entitled to $2.50 for every notice recorded & fifty cents additional for every mile traveled from his office to & return from the ground to be recorded, & for each abstract of title he shall be entitled to $2,50. and shall go upon the ground & survey the work before recording the work & shall be judge of the value of the same & shall be entitled to the same fees for surveying & recording work as for original notices of claims—And to keep a set of books or a suitable book wherein to keep & enter a truthful record of all public meetings held by the miners of the district & to record all notices of claims brought to him for record, when such claims do not conflict with interfere or affect the rights of prior locators, always recording the same in true order of presentation or date—His books shall always be open for the inspection of the public during business hours, & shall have power to appoint a deputy to act in his stead, & to deliver to his successor in office all books records & papers, pertaining to his office

6th All examinations of records must be made in full presence of the Recorder or his deputy—

7th Notice of any claim on file in the Recorders office shall be equivalent to a record of the same

8th The location of all placer or surface claims shall be in accordance with the rules & regulations of the Act of Congress of May 10″ 1872

9th No person shall be entitled to a voice in a public meeting of the miners or a vote at an election for recorder, unless he be a mine owner or locator in this district—

10th On Motion J. S. Watson was duly elected Recorder for the year ending Oct 1st 1873—

11th All claims located in this district & recorded in the Sacramento District records prior to the formation of this district shall be transferred to the records of this district within 20 days after the organization of this district—

Osceola Mining District Nye Co—Nevada October 11th 1872

J. S. WATSON *Chairman*

G. G. BLAIR *Secretary*

MINUTES OF MINERS MEETING HELD OCT 1ST 1877

WHITE PINE CO— NEVADA *Oct 1st* 1877

James Filton was elected temporary chairman W. T. Woolston Secretary—

B. S. Bradley was elected chairman of meeting

Moved & Seconded that each candidate select judge of election, S. F. Turner & J. S. Graham appointed—

Moved by J. S. Matson that the recorder be instructed hereafter to so change the records as to read " White Pine Co " instead of Nye seconded & carried—

Moved & seconded that the meeting elect a committee of three to revise, modify or make any amendments to the laws of the district that they deem necessary & to submit the same to a meeting to be held Oct 14″ 1877—R. G. Scofield, J. S. Matson & J. R. Watson elected—

Moved & seconded that the Secretary read the laws & by-laws of this district—Carried & the same read—

Moved & seconded that G. G. Blair be unanimously elected Recorder of this District carried—

Chairman declared the motion out of order—

B. S. BRADLEY *Chairman*

W. T. WOOLSTON *Secretary*

According to adjournment the miners of Osceola Mining District White Pine Co Nevada Met Sunday Oct 14″ 1877—

Committee on by-laws reported no changes necessary

On motion report was adopted—

Moved & seconded that the meeting adjourn *sine die*—carried—

G. G. BLAIR *Recorder*—

LANDER COUNTY.—SIERRA MINING DISTRICT.

(*Formed Aug 7th* 1869)

A company of miners met on the above day for the purpose of forming a district. The meeting was called to order and Charles C Breyfogle was nominated to act as President.

Motion made and carried that this District be known as Siera District, said district to be four miles square, two miles north, two miles south, two miles east, two miles west from the Wetherell and Way spring, situated in Siera Canon Lander County Nev—

William H Wetherill was nominated to act as recorder, for this district and was duly elected Recorder for Siera District for the term of one year from the date of this meeting—

On motion the following By Laws were presented and approved—

SECTION 1st The Recorder shall go on the ground and record all claims; for which he will be allowed fifty cents per name for each name or claim in the Company

SECTION 2 When a claim is located and the proper notice put upon it, thare shall be allowed ten days to file the notice for Record, and thirty day additional time within which the proper amount for work must be done on the Ledge—

SECTION 3d All locations made in this district shall require one days work on each claim or each two hundred feet, said work to hold such claim for the term of one year from date of Record of the claim—

SECTION 4th Any location having the necessary amount of work done on it as in the previous article shall be surveyed and the work Recorded by the Recorder within ten days after said work is done, the Recorder shall receive fifty cents for each name for his services to survey and record the same—

SECTION 5th The Recorder shall have the privilage of absenting himself from the district, But shall have a duputy appointed to attend to his business in his absents, and in case of resignation removal or death of the Recorder the duputy shall give ten days notice in three conspicuous places in the district that an election will be held for Recorder, stating time and place, when a majority of miners presant shall elect to fill the vacancy for the unexpired term, and untill such officer be qualified the deputy shall act as Recorder—

SECTION 6th The Recorder shall upon the written application of five miners call a special meeting of the miners of the district, when it shall require a majority of miners of the district to transact any business. But at the annual meeting on the 7th of August of each year a majority of the miners presant shall have the power to transact any business coming before the meeting—

SECTION 7th Work done upon any portion of the ledge shall be deemed as having done for the benefit of the whole of said location, except in case as stated hereinafter—

SECTION 8th No person shall have the privilage of participating in any meeting except bona fied miners of the district and no person shall be considered a miner unless he has a claim recorded and worked according to the By laws—

SECTION 9th In case where a portion of a company refuse to do the necessary amount of work to hold their claim after being notified by placing a written notice on the Recorders office for twenty days and the other portion of the company wish to work enough to hold their part of said claim, they shall give notice in writing of their intention to the Recorder, and designate what part of the claim they wish to hold, and have the work recorded for that part of the claim and the balance of said claim shall be subject to relocation if the laws are not complied with—

SECTION 10 It shall be the duty of the Recorder to keep a suittable set of books with a truthfull record of all proceedings of all public meetings to put on reckord all claims brought to him for reckord when such shall not intefere or affect the right of interests of prior locators, Recording the same in order of their date. It shall be the duty of the Recorder to keep his books open at all times to the inspection of the public, it shall be the duty of the Recorder to deliver to his successors in office all the books, papers, records etc belonging to or pretaining to his office—

SECTION 11th All examinations of the records must be made in the full presance of the Recorder or his duputy—

SECTION 12 Each claiment shall be entitled to hold two hundred feet on any leade in this district, with all the dips spurs angles offshoots outcrops depths widths and variations, and all the mineral and other valuables tharin contained, the discoverer of a new leade shall be entitled to one claim extra for his discovery

SECTION 13 The locator of any leade load or ledge in this district shall be entitled to hold on each side of his load leade or ledge located by him or them one hundred feet for mining purposes. But it shall not be construed to mean any distinct or paralel ledges within the two hundred feet other than the one origelaly located—

SECTION 14 All locations shall be made by a written notice posted upon the grounds—

SECTION 15 Every claim located by individuals or company shall be recorded within ten days after date of location

SECTION 16 The recorder shall be entitled to fifty cents 50 cts for every name on a (an) abstract of record furnished by him—

SECTION 17 The Recorder or his dupety is required to live in the district—

SECTION 18 These laws cannot be amended or altered for one year from the date of these laws—

SECTION 19 The laws shall take affect on and after the 7th day of August A D 1869

CHARLES C. BREYFOGLE *President*

CHARLES W BOOTH *Sec*—
WM H. WETHERILL *Recorder*
CHARLES W BOOTH *Dupety*
A. ADAMS *Dupety*

I, Wm H Wetherill Mining Recorder in and for Siera district Lander Co Nev—do hereby certify that the above, foregoing and annexed is a full, true and correct copy of all the by-laws of Siera district, State of Nev—County of Lander

WM H WETHERILL *Recorder*

AUGUST 7th 1869

SIERA DISTRICT NEV *Oct 11th* 1869

After being duly notified 30 days a meeting of the miners was held in Sierra Dist for the purpose of Ratifying the Old Laws adopted Augst 1st 1869.

The meeting was called to order and H McCormick elected President and Asael Adams Secretary—the Laws were read and confirmed with the exception of Section 18th which was abolished

H. McCORMICK *President*

A. ADAMS—*Sec*

At an adjourned meeting of Miners held at Vanderbilt Siera and Secret Valley District Lander Co Nevada March 12th A D 1870 N. O. Arington presiding, the following Resolutions were adopted—

The chair announced that the minutes of the previous Meeting had been misplaced or lost and proceeded to give a synopsis of same from memory which was declared satisfactory by acclamation—

1st *Resolved* that the name Siera and Secret Valley District be substituted for the name of Secret Valley District the latter name haveing been suggested but not confirmed at a previous meeting—

2nd *Resolved* that a committee of five (5) be appointed to define the Boundaries of Siera and Secret Valley District and report thereon—

The chair appointed the aforesaid Committee consisting of the following named Individuals Mr Lee Mr McCormick Mr Hanson Mr Clifford and Mr Cromer—

REPORT OF COMMITTEE ON BOUNDARIES

Resolved that this District shall be known as Siera and Secret Valley District and shall be bounded as follows Viz! Commencing on the Summit of what is known as War Eagle Mountain running thence East to the West Boundary line of Pinto District thence South to the County line of White Pine County Thence southerly along the county line of White Pine County to a point directly East of Fish Springs Thence West to Fish Springs Thence to the Southwest corner of Spring Valley District Thence East along the Southern line of Spring Valley District to the South East corner Thence Northerly along the Eastern Boundary of Spring Valley District to the place of commencing—

4th *Resolved* that the Laws of Siera District be adopted and all Records made under the laws of Siera and Eureka Districts heretofore within the boundaries of this District are hereby confirmed—

5th *Resolved* That any claims hereafter located within the boundaries of this District shall be recorded in and under the laws of this District otherwise they will not be recognised or respected—

6th *Resolved* that the Recorder of this District shall Keep his office and the Records thereof in the Town of Vanderbilt and be present at all business hours on Week days in person or deputy unless absent on business of the office

7th *Resolved* That Wm H Wetherill heretofore Recorder of Siera District be Elected and confirmed as Recorder of this District until the first annual meeting which shall be on the 7th day of August A D 1870

8th On motion Mr Wetherill was nominated and duly elected to fill the Office of Mining Recorder for Siera and Secret Valley District until the 7th day of August A D 1870

9th *Resolved* that the records heretofore kept by the Recorder of Siera District be retained in the Archives of this District and that said Recorder be requested to obtain the Book of Record heretofore kept by the Deputy Mining Recorder of Eureka District of Claims located within the boundaries of this District and if inable to obtain such Records to get a transcript of such Records free of charge and copy the same into the book of Records of this District without charge—

10th *Resolved* that a committee of five (5) be appointed to revise and if necessary amend By-Laws and report at a future meeting to be held on Saturday March 26th A D 1870 at 1 o'clock P. M.

The following named Gentlemen were nominated and appointed on the foregoing Committee on By-Laws Mr Kenny—Mr Murray—Mr McCormick—Mr Haison and Mr Basye (Chairman)

11th *Resolved* that Siera District is hereby absolved by being merged into the District of Seira and Secret Valley District—

12th *Resolved* that this meeting now adjourn until Saturday March 26th A D 1870 at 1 o'clock P. M.

N. O. ARINGTON *Chairman*

J. B. RUSSELL *Secretary*

At the adjourned meeting held on the 26th of March A. D. 1870 for the purpose of revising the Mining laws A O Arington presiding as chairman

The following Laws & Resolutions were passed—

1st *Resolved* That this District shall hereafter be known as Secret Canyon District—

MINING LAWS

SEC 1st Each individual mining claim made in this District shall in conformity with the United States mining laws consist of two (200) hundred feet in length on the Ledge or Lode with the privilege of an additional claim of two (200) hundred feet to the discoverer all dips spurs and angles radiating to or from the same and one hundred feet on each side of the Ledge or Lode the whole distance located for mining purposes; but this shall not be construed as giving the right to claim any distinct or parallel ledge or lode within said one hundred feet, but only the one originally located

SEC 2d Locations shall be made by placing a legible notice securely and conspicuously on the ledge or lode by either of the following methods to wit; on a monument of stone not less than three (3) feet high and well built on a post firmly placed in the ground not less than three (3) inches through and two (2) feet above ground, or on a tree not less than four inches through, which notice shall state the number of feet claimed in the location, the names of the parties locating the same, and the number of feet for which each name is located, the name or names by which the ledge or lode and the company locating the same shall hereafter be known, and also as near as practicable the local position of the claim in the district—Such a notice shall hold good without record thereof for ten days from the date of location, but at the expiration of said ten days the claim if not recorded shall be subject to relocation

SEC 3d Within thirty days from the date of record of any claim there shall be performed upon the same two (2) days work for each and every two hundred (200) feet of said location which said amount of work having been duly and faithfully performed shall hold the claim without further work or assessment for the term of one year from the date of record of the claim *and no longer*. A failure to comply with this law shall be deemed equivalent to an abandonment of the claim and render the same liable to relocation—

SEC 4th When at any time it shall have been proved to the satisfaction of the Recorder of the District that the sum of five hundred Dollars ($500) Gold coin has been expended upon any mining claim or location the provisions of section 3 of these by-laws having been fully complied with said mining claim or location shall be deemed as having complied with all laws or demands of this District and thereby released forever from further work or assessment to be expended on said claim; nor shall said claim or location ever again be subject to relocation under the laws of this District. on application it shall be the duty of the Recorder to issue a certificate to the effect that the provisions of this section have been fully complied with, for which service he shall be entitled to a fee of five Dollars ($5⁰⁰) Gold coin—

SEC 5th An annual meeting of the miners of the District shall be held on the first Monday of each and every year at which time a District Recorder shall be elected and any other business transacted which may properly come before the meeting—

SEC 6th The Recorder shall hold office one year from the date of his election and until his successor is qualified; before entering upon the duties of his office he shall file in the office of the nearest sitting Magistrate an oath or affirmation that he will duly and faithfully perform the Duties of his office as required by the By-Laws of this District—His duties are as follows—

ART 1st He shall reside in the District—

Art 2nd He shall procure at his own expense a Suitably Bound Book or Books in which he shall legibly inscribe a record of all mining claims that may be presented to him for record, keeping the same properly indiced in a separate book, also a book in which he shall keep a record of the minutes of all meetings of the miners of the District, both annual and called, and at the expiration of his term of office deliver the same in good condition to his successor—

Art 3rd He shall at all reasonable times keep the books of record open to the inspection of the public but only in the presence of himself or one of his deputies—

Art 4th Before receiving for record a notice of location it shall be his duty to go upon the ground so located and survey the same noting the date of record on the notice posted on the claim, also taking such notes of the locality as shall in case of any litigation afterwards prove as nearly as possible the exact position of the ledge or lode so located indorsing such notes on the posted notice and also recording them with the original notice in the District records—

Art 5th He shall number consecutively every claim recorded endorsing the number on the notice posted on the claim—

Art 6th He shall receive for each name recorded the sum of fifty cents in Gold coin, for making a transcript of Record one Dollar (1^{00}), for issuing a certificate of location fifty cents—

Art 7th He shall not be compelled to perform any act pertaining to his office without receiving Lawful fees—

Art 8th He shall have the power of appointing one or more Deputies who shall reside in the District and for whose acts he shall be responsible—

Art 9th He shall on the application of any party interested visit any mining claim and survey the amount of work done and performed on the same, issuing a certificate as to the amount of such work according to the best of his judgement for which service he shall be entitled to the sum of two Dollars (2^{00}) Gold coin which fee he may demand in advance—

Art 10th He shall give at least ten days notice of the time of holding the annual meeting (Sec 4) by posting notices in not less than three conspicuous places in the District—

Art 11th At the written request of not less than ten (10) miners of the District he shall in the manner prescribed in Section 6 article 10 issue a call for a special meeting of Miners stating the time and place where said meeting shall be held and the object for which said meeting is called. At said meeting no business shall be transacted other than that specified and named in the call—

Sec 7 In case of the resignation death or removal of the Recorder from office for cause, or his voluntary abscence from the District for a period of sixty days the office of the Recorder shall be deemed vacant, and the Deputy Recorder shall notify the miners as in Section 6 Art 10 that an election is to be held to fill the vacant office of Recorder stating time and place when such election is to be held: until such election takes place and the newly elected Recorder is qualified the Deputy Recorder shall exercise the duties of the office—

Sec 8 Only bona fide miners of the District shall have the privilege of participating in any election or meeting of miners and no person shall be considered a miner unless he has a claim recorded and worked according to the By-Laws—

Resolved, That all Laws and Resolutions heretofore in force in this District in conflict with the above are hereby repealed—

A O. ARINGTON *Chairman*—

F. Hanson *Secretary*

LINCOLN COUNTY.—FRIEBURG MINING DISTRICT.

Worthington Mt Lincoln Co Nev *Sept* 15″ 1869—

At a meeting held for the purpose of organizing a mining Dist & adopting a code of laws for the same the following prospectors were present W. H. Head, J. E. Squire, Thos Parker, A. Stroh & Geo Ernst,

W. H. Head Presdt—Geo Ernst Sect'y—

On motion the Dis't named Frieburg & the same to embrace the whole of the Worthington Mt situated about 35 miles N. W of Hiko—

The meeting then adopted the following code of Laws the same to be in full force & effect until lawfully changed by the voters of the Dist at any meeting called for the special purpose of changing the same—

Sec 1—All residents in this Dis't & all claim holders in the same shall be entitled to a vote without regard to age—

Sec 2. At all meetings called by the Dis't Recorder or his deputy Polls shall be open from 11 o'clock a. m. until sundown—

Sec 3—Election for Dist Recorder shall be conducted in the following manner—Notice of such election having been posted in five conspicuous places in the Dis't for ten days preceding such election at 11 a. m. on the day of election & at the place designated those entitled to vote at such election shall choose viva voce two persons to act as Judges & one clerk—The person receiving the largest number of votes shall be declared elected Dis't Recorder of the Dis't & the Judges shall give him a certificate to that effect—

Sec 4—No person shall be eligable to the office of Dis't Recorder unless at the time of election he is entitled to a vote in the Dist—

Sec 5—In case of the continued abscence from the Dist of the Recorder for 30 consecutive days his office may be declared vacant on the written application of any five persons who are entitled to vote for Dist Recorder provided he has left no deputy to act in his place—

Sec 6—The Dis't Recorder upon retiring from Office shall hand over to his successor all books & papers & records of what ever kind belonging to the office of Recorder—

Sec 7—The Dist Recorder shall be allowed to appoint a deputy who under the direction of the Dist Recorder shall do all things required by him & shall hold his office during the pleasure of the Dis't Recorder—

Sec 8—The Dist Recorder shall hold his office for one year from the date of his election or until his successor is elected—

Sec 9—In case of vacancy of the office of Dist Recorder by death resignation or otherwise it shall be filled by special election called for that purpose by the Deputy Recorder & if the be no Deputy, then by any five voters of the Dist—

Sec 10—Upon the request of any one it shall be the duty of the Recorder to give a certified copy of any instrument of writing or matter of record on file in his office if his fees are paid or tendered to him—

Sec 11—The Dis't Recorder shall during all reasonable hours keep his records open for inspection & shall within a reasonable time record all papers left with him for record—

Sec 12—The Dis't Recorder shall not be required to perform any services for any person requesting his services unless his fees are paid or tendered to him if he demand them—

Sec 13—The Dist Recorder shall note upon all papers filed in his office the year, month, day, hour & minute when they are so filed for record & all such papers filed for Record shall be considered as recorded from that time—

SEC 14—The fees of the Dis't Recorder shall be as follows—For the first three names on a location one dollar each—For the balance of the names fifty cents each—For all certificates fifty cents each—

SEC 15—All locations of mining ground shall be made in the following manner—On a monument shall be placed a plainly written notice describing the ground claimed, the name of the claim, the date of location & the names of the locators together with the number of feet claimed by each—Within thirty days from the date of location a copy of this notice shall be filed with the Dis't Recorder for record—Within ninety days from the date of recording there shall be done on said claim as assessment work to hold the same for one year from the date of location, excavation involving the removal of fifty feet of (cubic) earth or loose material or five cubic feet of solid rock for each two hundred feet in the claim—

SEC 16—The certificate of the Dis't Recorder that such assessment work has been done together with the records shall constitute a complete title to the claim—Said certificate is essential in case of the abscence of the owner from the Dis't—Optional otherwise—

SEC 17—Any person may locate mining claims in favor of others, but no person shall be entitled to hold by location more than two hundred feet of any one ledge except by virtue of discovery of the same for which he shall be entitled to hold two hundred feet additional. In the case of locations of extensions the location of two hundred feet by virtue of discovery is allowed—

SEC 18—No person shall become a locator in more than one claim on the same ledge & every second location on the same ledge by one in the name of a party already located on such ledge shall be void—

SEC 19—At the expiration of the time for which assessment work has been done on any claim, if the owner or owners fail to continue assessment work, said claim is open to relocation—Provided that nothing in this section shall be so construed as to prevent a claim owner or owners from doing work at any one time sufficient to hold the claim for two or more years—

On motion the meeting proceeded to elect a mining Recorder—Geo Ernst having received the unanimous vote of the meeting he was declared elected—

On motion the Sect'y was requested to furnish a copy of these laws to the White Pine papers with the request that they publish the same—.

Meeting adjourned

W. S. HEAD *President*

GEO ERNST *Secretary*—

NYE COUNTY.—JEFFERSON MINING DISTRICT.

LAWS OF GREENHALGH DISTRICT NYE COUNTY NEVADA.

Notice

That on the 14 day of July 1870 there will be a Miners meeting for the purpose of organizing a New District & making By-laws, electing a Recorder &cc

Jefferson Cañon Nye County Nevada July 4th 1870

GREEN ALDRICH *Chairman*
G. DREAPER
J. WHEALIN
JNO B BELCHER
JAS FERGUSON

JEFFERSON CANON *Thursday July* 14th 1870 3 o'clock P. M.

Miners meeting called to order. District organized and laws adopted. Green Aldrich elected Recorder of the same to hold office for one year or until a successor is elected

JEFFERSON CANON *July 14th* 1880.

BY LAWS OF GRUNILDS DISTRICT NYE COUNTY NEVADA

This District shall be known as Grunilds District, bounded as follows: running westerly to the mouth of Jefferson Cañon or to Smoky Valley eastwardly to Meadow Cañon. North six miles from Jefferson south six miles from Jefferson.

Each and every Company shall be entitled to hold 200 ft in length by 50 ft on each side of locations in width for every name used in notice of location, together with an additional 200 ft in length by 50 ft on each side of location in width, for a discovery. Discovery claims can be on one or more names but not to exceed 200 ft in the whole. All claims must be recorded in the district records by the District Recorder or his deputy, on the day of posting notices or thirty days afterwards. Recording of a Claim will hold same for one year. No claim shall be considered abandoned where work has been done on any part of it within one year. Work done by any member of a Company shall answer for work done by the whole Company. The Dist Recorder may reside out of the District, but shall at all times perform duties as is generally required by Dist Recorders. The fees allowed him for services shall be the same as are allowed by law to the Dist Recorder of the Philadelphia Mining District Nye County Nevada. The Dist Recorder may appoint Deputies, who shall have as full power as he himself. The appointment of Deputies must be recorded in the District Records. Also the revocation of an appointment be recorded. The district Recorder must at all times have his Records open for inspection. The election of Recorder shall be in the same manner as is prescribed by law in the Philadelphia Mining District Nye County Nevada. Amendments to these laws in any way shall be done in the same manner as is required by law to amend in the Philadelphia Mining District.

GREEN ALDRICH
Recorder of Grunild District Nye Co Nevada

From July 14th 1870 to June 11th 1874 inclusive there were recorded in Grunilds Mining District Nye County Nevada, seventy eight claims

MINERS' MEETING.

JEFFERSON CANON *Nye Co Nev June* 13 1874

According to call the Miners Meeting was called to order at 10 o'clock A M by Green Aldrich and W V Price elected Chairman and F. C. Granger Secretary

P. Fitzpatrick moved that the name of the District be changed from Grunilds to Jefferson District. Carried

P. Fitzpatrick moved that we adopt the United States Mining Laws in full. Carried.

The Chair appointed Green Aldrich. P. Fitzpatrick and John Bowman as a committee to look over and draft such local laws to present to the meeting

Report of Committee on local laws read and laws adopted by vote, below:

On motion the District Records of Grunilds Mining District were made the District Records of Jefferson Mining District

Green Aldrich was elected Recorder.

LOCAL LAWS

SEC 1 The District Recorder shall hold office for the term of one year or till a successor is elected

SEC 2 The Recorder shall be a mine owner in the district and shall perform all the duties of a recorder, either in person or by a Deputy, and he shall keep the records in a good and safe place of keeping; and they shall at all times be open for inspection, Said inspection shall be in the presence of the Recorder or his legally authorized Deputy.

SEC 3 The Recorder's fees shall be as follows, to wit: For every two hundred feet on a ledge ($1) one dollar: and ($1) one dollar for every two hundred feet in width for surveying and establishing the boundaries.

SEC 4 For recording a tunnel location, and surveying and establishing the boundaries of the same he shall receive ten dollars

SEC 5 For drawing off an abstract, and certifying to same, one dollar

SEC 6 There shall be a yearly miners meeting of the miners of Jefferson Mining District, held at the office of the Mining Recorder of said District, for the purpose of electing a Mining Recorder for said District, and for the transaction of such other business as may legally come before said meeting. Such yearly meeting shall be held on the second Saturday in June of each year, and it shall be the duty of the Mining Recorder to give notice of such meeting for at least three weeks prior to the time fixed for holding the same, by posting written notices in three public and conspicuous places in the District, and a like notice at the door of the Court House, in Belmont, Nye County, Nevada.

SEC 7 To call a special miner's meeting to elect a Recorder, or change the laws, in any particular. shall be done in the following way: By the consent of one third of all the mine owners of the district, and by posting notices of the same in the most business parts of the District, and one at the Court House in the County-seat of Nye County; Nevada for the term of thirty days previous to holding the meeting.

SEC 8 All notices of locations of mines or tunnel sites shall be good for the term of thirty days, then the same shall be recorded in the District Records or considered abandoned and open for relocation.

SEC 9 To hold a mining claim—The mining claimer must comply with the United States Mining Laws.

SEC 10 To hold a tunnel location for the term of six months there must be work done to the amount of fifty dollars, or to hold the same for one year. one hundred dollars.

SEC 11 All persons locating ledges or mining claims in this District shall be entitled to locate and hold three hundred feet of surface ground on each side of the center of said ledge or mining claim—

SEC 12 No vested rights heretofore accruing within the boundaries of this District, under the laws of Congress or any of the local laws heretofore existing shall be impaired or in any way interfered with by these laws—

At a regular meeting of the miners of Jefferson Mining District Nye County Nevada the following motion prevailed—

Resolved That the following clause be added to the Mining Laws of this District, to be known as section 13 of the same to wit: All local laws in conflict with the above are hereby repealed—

NYE COUNTY.—TYBO MINING DISTRICT.

MINING LAWS OF TYBO DISTRICT—

An informal meeting of the claim holders at the new discoveries south of and adjoining what is known as the Empire District situated in Nye Co, State of Nevada was held this 31st day of August 1870 for the purpose of locating said new discoveries within certain bounds, so that the present as well as all future locators may have the benefit of local laws—

There was present at said meeting the following claim holders—M. V. B. Gillett J. W. Gally, Chas Garrett & Lafayette Joslyn—Upon motion J. W. Gally was elected to the chair and M. V. B. Gillett as secretary—Motion made & seconded that the District should be called or named "Divine District"*—Motion carried—Motion made & seconded that there shall be a meeting held at the said Dis't upon the third day of Sept 1870 for the purpose of electing a Dis't Recorder & forming a code of laws for said Divine Dis't, said laws to be adopted at said meeting—Moved & carried that we now adjourn to meet upon the third day of Sept 1870 at the said Dis't the day & year aforesaid—

J. W. GALLY—*Chairman*

M. V. B. GILLETT—*Secretary*—

At an adjourned miners meeting held in Jerusalem Canyon Nye Co Nevada on Saturday Sept 3d AD. 1870 the following business was transacted—

On motion J. W. Gally was called to & accepted the office of Chairman of the meeting—

On motion M. V. B. Gillett was elected secretary—

Minutes of the previous meeting read & discussed—

* Changed Sept. 3 to "Tybo District".

On motion duly seconded & voted upon the name of Tybo Dis't was substituted for that of Divine Dis't the latter name appearing in the minutes of the previous meeting—

The following code of mining laws for the regulation of the Tybo Dis't in Nye Co—Nevada was then offered to and adopted by the meeting—

BOUNDARY—

Resolved that this Dis't shall be bounded as follows—On the North by the summit of the south face of Jerusalem mountain On the East by the line where the lower foot-hills meet Hot Creek Valley. On the West by a line running North & South parallel with the West summit of Jerusalem Canyon, and the whole extending with these boundaries to a line running East & West at a distance of five miles due South of the aforesaid summit of Jerusalem Mountain—

TERMS DEFINED—

Resolved, that to prevent misunderstanding and contention the following shall be the definition of certain terms within this Dis't viz. The word "Ledge" shall be construed to mean a continuity of identical ledge matter; the word "location" shall be construed to mean the whole number of feet marked out & claimed in place by any party whether consisting of one person or more; the word "claim" shall be construed to mean each two hundred feet on a location—the discovery claim of two hundred feet being one additional claim, the property of the discoverer individually or of his company collectively as he may elect—

AS TO LOCATION—

Resolved, that every location shall be measured & a monument placed at each end thereof—Said monument to be of wood or stone—at least two feet high & not less than one foot in diameter—

AS TO RECORD—

Resolved, that any party wishing to record his or their discovery or location upon the books of the Dis't Recorder shall post a notice of his or their intention upon the said location or discovery & have said notice recorded with said Recorder within fifteen days after posting thereof—And in failure to comply with this resolution, the said location shall be fairly & clearly understood to be vacant, as if the said Notice had never been posted thereon—

Resolved. that within thirty days after notice to hold location has been posted upon such location, one average miner's day's work for each claim in such location shall be done at any point or points upon the location—and this work shall hold the said location for a period of twelve months from date of posting original notice, and an equal amount of work shall be done upon the location for each twelve months that the location is holden—either in consecutive days or for each year within each twelve months separately—

AS TO FAILURE TO WORK—

Resolved that any claimant in any location who shall fail or neglect to do, or to have done his proportionate amount of work upon the location as required by these laws after having been notified by a majority of the company that the annual assessment work is due by law & about to be done, shall after a period of twelve months from such notification if he still fail or neglect to comply with the law, be deemed & considered to have neglected and abandoned his claim in said location, and the majority of the claim holders in said location may then proceed to set apart the number of feet in his claim from such portion of the location as to them may seem best, and the feet so set apart shall be open to re-location—

AS TO RECORDER

Resolved, that a Mining Recorder for Tybo Dis't shall be elected annually on the first day of September, or the Monday following if that day occur on Sunday, of each year, & it shall be the duty of the incumbent Recorder to post notices setting forth the time, place & manner of such election in at least five of the most conspicuous places within said District for a period of time not less than three weeks prior to the day of election—The manner of election shall be by a miners meeting at the office of the Recorder & the vote shall be by ballot, and a majority shall elect—

RECORDERS DUTIES—

Resolved, The Recorder shall keep his office at some approximately central point within said Dis't & he shall keep a book of record in which he shall record verbatim the notice of each location as presented to him, He shall go, upon the demand of a locator, to the location & view the same, & upon payment of his fees shall make the proper record—If the record to be made is of an original location he shall record it without remark, but if the same has upon his books been previously recorded he shall write on the margin of the record the words "second location," third location" & so on as the case may be—He shall keep his books at all times open to inspection of persons having business therewith & shall not remove the record from his office outside of said Dis't unless required to do so by the courts of law & justice—He shall receive for his services one dollar for each name appended to any notice, or protest, or other paper proper to go upon his record—.

MINERS MEETINGS

Resolved, that a miners meeting to modify, amend or add to these laws or for other purposes founded upon these laws shall be convened by a notice thereof posted in at least five conspicuous places within said Dis't for not less than three weeks setting forth the time, place & object of such meeting, and the notice shall be signed by not less than five bona fide claim holders residing in the District, and all such meetings shall be held at the office of the mining Recorder—

On motion of M. V. B. Gillett that the locations of John Seutre or his company if any there be, within the boundaries of this Dis't at this time shall be recorded upon the Record of this Dis't or otherwise as he the said Seutre may elect, but if recorded within this Dis't, no charge shall be made therefor—Passed—

On motion of Chas Garrett—adjourned

J. W. GALLY—*Chairman*

M. V. B. GILLETT—*Secretary*—

WHITE PINE COUNTY.—WARM SPRING MINING DISTRICT.

At a meeting of the Miners of Warm Spring District on the 1st of Sept A. D. 1870 A. J. Allen was elected President. and F. M. McCurdy Secretary—

When on motion of E. S. Peck it was moved that the President appoint a Committee to draft a constitution and by-laws for the Government of this above mentioned District—

Whereupon the President appointed the following persons as such committee viz—J. H. McCurdy, E. S. Peck and A. Barnaby who reported the following as said Constitution & by-laws, which on motion of J. H. McCurdy were duly adopted—

Art 1st This District shall be known as the Warm Spring Mining District and shall be bounded as follows—Beginning at the Overland Stage Road in the Antelope Valley thence Northerly along the East side of Antelope Range of Mountains to a point due East of Eureka Springs thence West across the Antelope Range of Mountains to the Toano road, thence South along said Road to Spring Valley, thence along the centre of said Spring Valley to the Overland Stage Road, thence along said Overland Stage Road to the place of beginning—

2nd There shall be elected a President whose duty it shall be to preside at all meetings for the transaction of business in said District—There shall also be elected a Secretary and Recorder—All of the above mentioned Officers shall hold office for one year from the date of adoption of this Constitution and by-laws—And the Recorder shall be a resident of the said District—

3rd It shall be the duty of the Recorder to keep in a suitable book or books a full and truthful record of the proceedings of all public meetings, to place on record all claims brought to him for that purpose—recording the same in the order of their dates, for which service he shall receive one dollar, and fifty cents additional for each claim or name so Recorded—It shall also be the duty of the Recorder to keep his books open to the inspection of the public—The Recorder shall have power to appoint a Deputy to act in his stead, for whose official acts he shall be held responsible—It shall also be the duty of the Recorder to deliver to his successor in office all books, records, papers &c belonging to or pertaining to his office—

4th All examinations of the records must be made in the presence of the Recorder or his deputy—

5th Notice of a claim or location of mining ground by any individual or by a company on file in the Recorders office shall be deemed equivalent to a record of the same—

6th Each claimant shall be entitled to hold by location 200 feet on any lead or lode in this District with all its dips, angles, spurs, variations, offshoots, outcrops, depths and widths, and all the mineral and other valuables contained therein—The discoverer of any lead or ledge and locator, being entitled to one claim of 200 feet additional for his discovery—

7th The locators of any Lead, Lode or Ledge in this District shall be entitled to hold on each side of the said Lead. Lode or Ledge so located one hundred feet for the convenience of working the same, but this shall not be construed to mean any distinct or paralell vein or ledge within the said two hundred feet allowance other than the one originally located, and when two leads or lodes cross each other the first discoverer shall have the right of way through the other and be entitled to all the mineral and other valuable matter equal to the thickness of the first discovered lead or lode and nothing more—

8th All the locations shall be made by a written or printed notice posted upon the ground describing the boundaries with all the claimants names affixed to said notice—

9th Every claim whether made by individual or Company shall be recorded within ten days after the date of the location of the same—

10th The posting of a notice on a claim and recording the same shall be sufficient to hold it for sixty (60) days from the date of Recording—At or before the termination of said term of sixty (60) days it shall be necessary to remove from said lode or ledge five (5) cubic feet of rock or twenty-five (25) feet of earth or other loose matter for each claim recorded, and where a number of claims are held by a company the work may all be done in one place on said Company's claim, and said work shall hold the title good to such claim for one year from the end of the above mentioned sixty (60) days—If at the expiration of the said year the said amount of rock or other loose matter be not removed from each claim as aforesaid said claim shall be deemed abandoned and open to relocation—

11th Work done on any tunnel, cut, drift or shaft in good faith shall be deemed and considered as done upon the claim owned by such person or Company—

12th All miners locating a mining claim in this district, shall place thereon a good and substantial monument or stake not less than three (3) feet high, with a notice thereon of the name of the claim the names of the locators, date of location and record, and extent of claim—

13th Any individual or Company may locate the waters of any of the streams, creeks or springs in the district for mill or mining purposes, but if at the expiration of twelve months they have not made improvements to the value of one hundred dollars on said stream creek or spring so located by them, their rights to said stream creek or spring shall be deemed abandoned and open to relocation—The Recorder shall receive five dollars for each water claim recorded in this district—

14th Locations of water claims or privileges shall be made by posting a notice on the stream creek or spring claimed, stating the amount of water claimed and the distance on the stream, and for what purpose, filing said notice with the Recorder—

15th The Recorder shall go upon the ground with any and all parties desiring him to do so, who wish to locate claims, and shall be entitled to receive for such service fifty cents for each and every name or location of two hundred (200) ft each—

16th It is hereby made the duty of the Mining Recorder upon the written request of the majority of the Miners residing in said district, to call a meeting of the miners of said district by giving or publishing a notice of ten days through some newspaper or posting a notice in three (3) conspicuous places in the district at least ten days before holding such meeting—Said notice to set forth the object for which said meeting is called and the time and place of holding the same—

17th Placer claims shall consist of two hundred ft in length of, and extend from summit to summit of the hills on either side of any gulch in which they may be located—

18th No right acquired under these laws shall be interfered with by any laws passed subsequent to the adoption of these by-laws—

19th A meeting of the miners of this district shall be held annualy on the first day of September in each year for the election of officers and the transaction of other business pertaining to this district—

20th It shall be the duty of the Recorder to go on the ground and measure the work when called upon, and shall receive fifty cents for each claim of two hundred feet so measured inspected, and recording the same—

21st These laws shall take effect from and after their passage—

On motion the meeting was adjourned "sine dia" 1st September A D 1870

A. J. ALLEN—*President*—

F. M. McCurdy *Secretary*—

MINERS MEETING 2ND DAY OF MAY A D 1879

At a meeting of Miners of the Warm Spring Mining district in the county of White Pine and State of Nevada at the residence of F. M. McCurdy in the Warm Spring Mining District aforesaid—

On motion of E. S. Smith, F. M. McCurdy was nominated & elected chairman of the meeting—

On motion of J. H. McCurdy, E. S. Smith was nominated & elected Secretary—

On motion of J. H. McCurdy it was resolved that on and after this 2d day of May A. D. 1879 the laws of the United States regulating the location & working of mining claims, shall be the local laws of the Warm Spring Mining District, superseding and taking the place of the former local laws, and that all laws and parts of laws inconsistant with the same, be and the same are hereby repealed—Carried unanimously—

On motion of J. H. McCurdy, E. S. Smith was put in nomination for the office of Mining recorder of Warm Spring Mining district for the year ensueing and unanimously elected—

On motion of J. H. McCurdy the fees of the Recorder were fixed at three dollars for each claim—carried—

On motion the meeting adjourned sine die—

E. S. SMITH *Secretary*

WHITE PINE COUNTY.—SCHELL CREEK MINING DISTRICT.

Persuant to published call a meeting of the miners of McCurdy mining district was held at the office of Stonehill & Ferguson at Schell Creek station Friday Sept 1st 1871—

The meeting having been called to order Thomas Cahill was elected president of the meeting and Wm Pardy Secretary—

The object of the meeting was then stated by the president to be the election of a mining Recorder and for the transaction of any other business that might legally be brought before the meeting—

There being a conflict of interests between the McCurdy Mining District and the Queen Spring Mining Dis't. (so called) and it being considered the better policy to settle the difficulty,

On motion the following Committee on resolutions were elected—E. B. Stonehill, J. L. Lowe, and T. R. Posey—

On motion said committee was allowed one hour to report and the meeting adjourned to convene at the call of the president—

Meeting having assembled at call of the President the following resolutions were read and on motion adopted—

1st *Resolved* that in order to prevent confusion and litigation we recognize but one mining district inside of the boundaries named in the laws of the McCurdy mining district to wit—The East boundary shall be the centre of Spring Valley, the West boundary the west edge of Schell Creek range of Mountains including all the Schell Creek range and the North and South boundaries shall be 12 miles south of the overland road where it passes through the Schell Creek range of Mountains and 12 miles north of said overland road—including a district of 24 miles North & South of said Schell Creek range of Mountains—

2d *Resolved* that Article 5 of the mining laws of McCurdy district be amended to read as follows—Article 5—Notice of claim or location of mining ground by all individuals or by a company filed by the Recorder or his Deputy shall be deemed equivalent to a record of the same—

3d *Resolved* that Article 10 of the McCurdy mining district records be stricken out & the following substituted in its place—Article 10—The posting of a notice on a location & the recording of the same shall be sufficient to hold said location for the period of sixty days from the date of recording the same—Before the expiration of the said sixty days it shall be necessary to remove from said location five cubic feet of rock or twenty-five feet of earth or other loose material and said work shall hold the title good to such location for the period of one year from the date of location—At the expiration of said year if the same amount of rock or other loose material be not removed from said location, said location shall be considered forfeited and subject to relocation—

4th *Resolved* that Article 16 of the mining laws of McCurdy district be amended as follows—by striking out the words "the majority of the miners" and inserting the words "twenty practical miners"—

5th *Resolved* that the districts heretofore known as the "Queen Spring Mining District and the McCurdy Mining District and all other districts embraced in these boundaries named in the mining laws of the McCurdy Mining District are hereby consolidated into one district, which shall be known as the Schell Creek Mining District—

6th *Resolved* in order to prevent confusion and litigation that we recognize but one mining district inside of the boundaries named in the laws of the Schell Creek Mining district formerly known as the McCurdy Mining District and that all records heretofore made in the Queen Spring District another mining district inside the above named boundaries, shall be incorporated into and are hereby made a part and parcel of the Records of the Schell Creek Mining District, the same to be considered valid and good—

Meeting then adjourned

THOS CAHILL, *President*

Wm Pardy *Secretary*

Town of Schellbourne *Sept* 1st 1872

Meeting held persuant to call—

Thos Cahill elected President & W. J. Muncy Secretary—

Minutes of preceding meeting read and approved—

On motion,

Resolved, That in addition to the rules, regulations and laws of the Schell Creek Mining District in the county of White Pine, State of Nevada, the miners of said district in meeting assembled do hereby adopt, approve of and incorporate into the already existing laws of said district An act of Congress entitled "An act to promote the development of the Mining resources of the United States" approved May 10th 1872, and that from and after the adoption of this resolution said act of Congress shall be the rule guide and law in the location of and the manner of holding and working the mines in said district—

THOS CAHILL *President*—

W. J. MUNCY *Secretary*

SCHELL CREEK MINING DISTRICT WHITE PINE COUNTY—NEVADA—

Meeting held *Sept* 1st 1873—

Wm Burke was elected President and Julius Steinberger & Chas McPhierson Secretaries—

Minutes of preceding meeting & on motion were approved—

Resolved that in addition to the Laws of Schell creek mining district now in force the miners of said district do hereby adopt & incorporate the "laws of Congress as amended in 1873" and that from and after the adoption of this resolution the act of Congress approved May 10″ 1872 & the above mentioned laws of 1873 shall be the rule, guide and law in the location of and the manner of holding and working the mines in said district—

WM BURKE *President*

JULIUS STEINBERGER
CHAS MCPHIERSON
Secretaries—

SCHELL CREEK MINING DISTRICT—*Sept* 1st 1874

At a meeting of the miners of the Schell creek mining district the following amendments were adopted—

The amendment of Congress extending the time for work on claims until the 1st day of January A. D. 1875—

That section 15 of the mining laws be so amended as to read as follows—" The Recorder shall be entitled to Four dollars ($4^{00}) for recording each and every claim whether said claim consists of 1500 ft or less and if required by any locator, to go upon the ground, he shall receive 50c per mile for the actual distance travelled—

In view of the complication of the mining a committee was appointed to rescind and amend the old laws—T. M. Browne L. Lewis and J. M. Gearhart were appointed as that committee to report one week from date—Upon motion L. Lewis was declared elected Recorder—

WM BURKE *President*

W. B. DYER
A. STEINBERGER
Secretaries—

No record appears of any meeting one week from date, nor until January 8″ 1875 when Wm Burke was elected Recorder, seven votes having been polled—No further business—

WHITE PINE COUNTY.—HUNTER MINING DISTRICT.

MINING LAWS OF HUNTER MINING DISTRICT.

WHITE PINE COUNTY STATE OF NEVADA *Friday December the* 8th 1871

On the above day a company of miners met for the purpose of forming a district—The meeting was called to order and J. Chandler was nominated to act as President, and John J. Woodburn as Secretary—

Motion made and carried that the district be known as the Hunter District—Said district being twelve miles square, beginning at a point two miles west of where the Hunter mine is located and running from thence north six miles from thence east twelve miles, from thence south twelve miles from thence west twelve miles, from thence six miles north to the place of beginning—

John J. Woodburn was nominated to act as Recorder for the District, and was duly elected Recorder of the Hunter Mining District for a term of twelve months from date—

On motion the following by-laws were presented and approved—

1st The Recorder shall be allowed fifty cents per name for recording.

2nd That the discovery claim be recorded free of charge

3rd Notice of a claim or location of mining ground by any individual or by a company, on file in the Recorders office, shall be deemed as equivalent to a record of the same—

4th All examinations of the Records, must be made in full presence of the Recorder or his deputy—

5th Each claimant shall be entitled to hold by location 200 feet on any lead in the District, with all the dips, spurs, angles, offshoots, outcrops, depths, widths, variations, and all the mineral and other valuables contained therein—The discoverer of, or locator of a lead being entitled to one claim extra for discovery—

6th All locations shall be made by a written notice posted on the ground—

7th Where a claim is located, and the proper notice put on it, there shall be allowed ten days to file the notice for record, and thirty days additional time within which the proper amount of work must be done on the ledge—

8th All locations shall have five cubic feet of rock, or twenty cubic feet of earth removed within thirty days of the date of record for each claim of 200 ft—Said work shall hold said claims for one year from date of record of location—

9th Work done on any part or portion of a location shall be deemed as having been done for the benefit of the whole location—

10th The Recorder shall be allowed fifty cents a name for every name on an abstract of record furnished by him—

11th The Recorder shall have the privilege of absenting himself from the District, but shall have a Deputy appointed to attend to his business during such abscence and in case of resignation, removal, or death of the Recorder the Deputy shall immediately give ten days notice, by placing a written notice at three conspicuous places in the District that an election will be held for Recorder stating time & place—when a majority of the miners shall elect to fill the vacancy for the unexpired term, and until such officer be qualified the deputy shall act as Recorder—

12th The Recorder upon the written application of five miners shall call a special meeting of the miners of the district, when it shall require a majority of the miners present to transact business, but at the annual meeting on December 8th of each year, a majority of the miners of the District shall have power to transact any business coming before the meeting—

13th The Recorders term of office shall be one year, or until his successor shall be qualified—

14th That the office of the Recorder of Hunter District shall be permanently located in said District—

15th That the above by-laws be sent to the office of the "White Pine News" for publication in said paper—

RECORD OF MEETING HELD OCT 14″ 1876—

Thomas Flannagan elected Recorder, no number of votes given—Fees of Recorder, raised to $2.50 per claim. No further business done—

WHITE PINE COUNTY.—WARD MINING DISTRICT.

MINERS MEETING

At a meeting held at this place on the 21st of March 1872 & of which Mr John Henry was appointed chairman & Thos F. Ward Secretary the following resolutions were adopted—

1st That we the miners of this place do hereby make the limits and boundaries of a district which shall be as follows—

2d Beginning at foot hills at what shall be known as Dry Canyon running parallel with county line of Nye & White Pine Counties, running to the summit of the mountain thence a course southerly to Henrys' hill thence easterly to Toano & Pioche roads, embracing 10 miles in length by six miles wide—

3d On motion of Mr Jacob Henry to name the district and so known as Ward district was duly seconded voted on and carried

4th Also to provide Rules & By-laws of the district for prospecting & mining purposes. T. F. Ward, John Henry, & W. Edwards were appointed to execute the same—

5th On motion of W. B. Edwards to appoint a Recorder for the purpose of recording all locations made within the district was duly seconded by J. Henry was voted on & carried; it was then proposed to appoint a Recorder

6th On Motion of J. Henry to appoint T. F. Ward Recorder was seconded by W. B. Edwards voted on & carried T. F. Ward was then duly appointed Recorder of Ward mining district for one year from March 21st 1872

There being no further business on motion of L. H. Hassell to adjourn was seconded, voted on & carried—

The meeting then adjourned sine die

JOHN HENRY *Chairman*

THOS F. WARD *Secretary*

At a Miners Meeting held in & for Ward district on the first day of May 1872 & of which Mr John Henry was appointed chairman & Mr T. F. Ward Secretary the following laws for the government of miners in said District were adopted—

1st That the boundaries of Ward mining district shall be as follows—commencing at what shall be known as "Dry Canyon" running West to Summit of the Mountain thence a course south to Henrys Hill south of Willow creek thence Easterly to Toano & Pioche roads—

2d All claims or locations made within the district by any party or parties on any ledge, lode, vein or deposit of mineral bearing ores or other rock instead "that has not heretofore been located" and subject to relocation" will be required to be within fifteen days thereafter recorded at the recorders office—

3d That any party or parties who shall locate or preempt ground for mining purposes, shall fail to have the same recorded at the expiration of fifteen days such ground shall be subject to relocation and forfeiture of the same—

4th It shall be required that (5) five square yards of loosing or picking ground or (2) two square yards of blasting or hard ground be removed from each claim of (200) two hundred feet, which shall entitle the owners of such claims one years residue—

5th Where claims are properly recorded they will hold good (100) one hundred days, unless the required work be done on the same, which will then hold good as per Art 4

6th No claims are relocatable unless they have been abandoned or otherwise are forfeited, and subject to relocation at the expiration of (100) one hundred days if recorded—

7th Each holder of claims shall be entitled to (50) fifty feet on each side of the ledge, lode or vein, or which he or they has or have located "but this does not include any other ledge lode or vein or deposit of mineral, that may not be a spur or other variation of the one already located—

8th Any party or parties locating ground shall write two notices one to be placed on the monument or artificial one or discovery stake and the other to be left with the Recorder for file—

9th Any party or parties locating ground will be required to erect a monument or a discovery stake at least three feet from the ground and place thereon their notice of location with date & year in which the location is made—

10th The Recorders fees shall be as follows, For visiting each claim & recording the same $3.00

11th It shall be the duty of the Recorder to go to each location made with the party or parties that desire to have the same recorded—

12th The Recorder shall have the right to authorize or appoint a deputy Recorder whenever he shall think it necessary—

JOHN HENRY *Chairman*

THOMAS B. WARD *Secretary*

At a Miners Meeting held at this place "Ward District" persuant to a notice issued to convene on the first day of Oct 1872, the following amendments & repeals were made—

Sec 1st That articles 4. 5. 6. 7 & 8 of the By-Laws of Ward Mining district adopted May 1st 1872 are hereby repealed—

Sec 2d That all locations hereafter made in this district shall be made in conformity to the Act of Congress entitled "An Act to develope the mineral resources of the United States" approved May 10" 1872 & that all locations shall extend for a distance of 300 feet on each side from the centre of the ledge lode vein or deposit—

3d All claims or locations made within this district by any party or parties on any ledge lode vein or deposit of mineral bearing ores or other rock instead "that has not been heretofore located and subject to relocation will be required to be within "15" fifteen days thereafter recorded at the Recorders office—

4th That any party or parties who shall locate or claim ground for mining purposes, shall fail to have the same recorded at the expiration of (15) fifteen days, such ground shall be subject to relocation & forfeiture of the same—

5th Same as section 8th

6th " " " 9th

7th That 40^{00} worth of work be done on each mine within one hundred days after date of recording the remaining 60^{00} worth of labor to be made within one year from date of location—

8th That where the owners of a mine have done 100^{00} worth of work on their mine the party or parties can have the same recorded & be entitled to the remaining portion of the year & residue—

9th That in each succeeding year the same amount of labor shall be done within the limited time as described in article 7th

10th It shall be the duty of the Recorder to go to each location made with the party or parties who desire to have the same recorded & carefully describe the same in relation to its locality in the district and also in relation to other mines & natural & artificial objects & enter the same in the records of the Recorders books—

11th Same as section 11th

12" The Recorder shall have the right to authorize or appoint a Deputy Recorder whenever he shall think it an urgent necessity, such deputation shall be in writing & made of Record & to be entered on the Recorders Books—

13" That the whole of the laws be adopted—All laws or parts of laws heretofore in force in this district & in conflict with the foregoing are hereby repealed—

JOHN HENRY *Chairman*

Thos F Ward *Secretary*

MINUTES OF MINERS MEETING HELD AT WARD DISTRICT—NYE CO—NEVADA—

At a miners meeting held at this place in persuance to a notice issued to convene on Tuesday Oct 1" 1872 at 2 o'clock P. M.

1st On motion of L. Frizell to appoint J. Henry Chairman was duly seconded, voted on & carried—

2d On motion of L. Frizell to appoint T. F. Ward secretary was duly seconded, voted on & carried—

3d On motion of L. Frizell for the chairman to appoint a committee of three for the purpose of repealing & also revising the "By-Laws" of Ward district was duly seconded voted on & carried—Messrs Frizell, Briggs & Connor were duly appointed—

4th On motion of Mr Frizell to add the Secretary to the committee was seconded, voted on & carried—The By-laws were then read & acted upon—

5th On motion of Mr R. Briggs to adopt Sec 2d in place of 2 & 7 was duly seconded voted on & carried

6" Article 3d adopted
7" " 4" "
8" Article 5" adopted
9" " 6" "
10" " 7" "
11" " 8" "
12" " 9" "
13" " 10" "
14" " 11" "
15" " 12" "
16 " 13" "

JOHN HENRY *Chairman*

Thomas F. Ward *Secretary*

WHITE PINE COUNTY.—CHERRY CREEK MINING DISTRICT.

At a meeting of the Miners of the miners settlement near Cherry Creek in White Pine County Nevada held on the ninth day of November 1872 held in the cabin of A Hunter it was on motion—

Resolved that Mr Osman G. Leach be appointed Chairman and Bartholomew O'Connor Secretary—

The chairman read the call for the meeting which stated its object to be, the organization of a new mining district, the formation of laws for the government of the same and for the election of a Recorder for the district—

It was thereupon on motion,

Resolved that it is expedient and necessary to form a new mining district for the mining locations already established in this vicinity, and that such a mining district be now organized—

On motion it was then next

Resolved that this district be call the "Cherry Creek Mining District"—

It was then on motion

Resolved that the chairman appoint a committee of three to draft laws for the regulation and government of this district—

Whereupon the chairman appointed Messrs D. R. Collins, B. O'Connor and A. Hunter a committee to draft and report suitable by-laws for the district—

The committee having retired for that purpose afterwards returned, and read and reported the under written laws which were read and considered section by section and were unanimously adopted—

ART 1st This district is situated in White Pine County State of Nevada and shall be known as the Cherry Creek Mining district and is bounded as follows viz—Commencing at the mouth of Cherry Creek in Steptoe Valley and running Northerly along the Eastern base of the Eagan range of Mountains to the mouth of Goshute Creek, thence westerly through Goshute Canyon to the Western base of the aforesaid range of mountains thence southerly along the western base of said mountains to the head of Cherry Creek Canyon, thence Easterly down Cherry Creek Canyon to the place of beginning—

ART 2d There shall be a mining recorder elected on the second Monday in November of each year, who shall hold office for one year, or until his successor is elected and qualified, unless in case of his death or removal, when a new election shall be held, for the time of such vacancy, at a meeting to be called by written notice signed by at least five persons holding bona fide claims in this district, and posted in three well known and conspicuous and inhabited places in this district at least fifteen days prior to the day of such meeting—

ART 3d It shall be the duty of the Recorder to keep in a suitable book or books a full and truthful record of the proceedings of all miners meetings held in this district (of which he shall be the Secretary when present) and it shall be his duty to record in a suitable book or books, in the order of their date of filing with him, the notices of mining claims presented to him for recording—He shall keep his books open for the inspection of all persons wishing to examine them, but only in his presence or that of his deputy, at all reasonable times—He shall have power to appoint a deputy, whose appointment shall be entered at large on the record, prior to his acting as such, and for whose official acts he shall be responsible—

ART 4th The Recorder shall be entitled to the following fees—"For recording a location—Four dollars—For transcript of record of location two dollars—for Recording work on location in estimation of the amount thereof and giving a certificate thereof two dollars and fifty cents—and for each mile of travel in going to or returning from any mining location (for one way) in the exercise of his official duty fifty cents—For any extra paper recorded not exceeding one folio one dollar—And the Recorder shall when requested so to do, go upon the ground for any purpose connected with the business of his office, in relation to any mining claim—

ART 5th All claims of mining locations must be made by distinctly written notice placed upon the location with the name or names of the claimants, date of location and the number of feet claimed each way, from the monument on which the notice is posted, or in the manner required by the laws of the United States, and which notice shall be placed on a monument at least two feet in height and shall be located by reference to some permanent object or recorded location, so that the location of the claim may be easily found, and prior to the recording of such location, or claim, the boundaries must be distinctly marked around the entire amount of ground claimed by the location—

ART 6" All claims located in this district shall be recorded within fifteen days after the notice of location is posted thereon, and the time of recording shall date from the time of filing the notice with the Recorder—

ART 7th Any person or persons may locate a tunnel, by posting at the point of commencement a notice, such as is required in the location of a lode, ledge or deposit of mineral, such notice to contain a description of all of such tunnel claim and the direction in which the same shall run—Prior to the recording of such tunnel location, the course of such tunnel shall be distinctly marked on the surface, through the entire length of the ground where the intended tunnel is proposed to be run—

ART 8th When a notice of a mining location is presented to the Recorder, for filing and recording he shall note on the back of the notice, the time of presentation, day and hour, and such notice shall be deemed recorded from and after the time of filing—Provided, however that he shall first examine whether a prior claim does exist, as to or on said location, whose term has not expired by limitation fixed, and if such prior location is in existence, he shall so inform the party presenting the notice, and shall protest and refuse to record the same—And in case the party shall insist on recording of such notice, then the Recorder shall in precise terms state in writing the reason why he has protested against and refused to record the same, setting forth such protest and refusal on the back of such notice, and shall record such protest and objections thereto, together with such notice—

ART 9th Should the Recorder neglect his duty for any unreasonable time, he may be removed by the action of the claim holders of the district at a meeting called as provided for by the by-laws—And in case any Recorder should remove from the District, or his office become vacant by his death, resignation or otherwise, a new Election for Recorder shall be held, as provided for in these by-laws—

ART 10th These laws may be altered or amended by the miners of the district calling a meeting for that purpose—such call to be signed by ten *bona fide* mine owners, holding mines or mining locations in the district, and shall be posted in three well known, conspicuous and inhabited places in the district, at least twenty days prior to the date of holding such meeting, and the call for such meeting shall also state the day, hour and place on and at which it shall be held—

After the above written by-laws had been unanimously adopted as the by-laws of the District and the committee discharged from the further consideration thereof, it was on motion

Resolved that the election of a Recorder for the district be proceeded with—

Whereupon Mr D. R. Collins was put in nomination for such office and no other nomination having been proposed, it was on motion of Mr B. O'Connor carried by acclamation unanimously—

Resolved that Mr D. R. Collins be elected the Recorder of this the Cherry Creek Mining district until the second day of November 1873—

It was then on motion of Mr B. O'Connor

Resolved, that it shall be the duty of the Recorder of this district, to transfer from the books of the Gold Canyon district all claims recorded in such Gold Canyon Mining district prior to the organization of this, the Cherry Creek Mining District, that is to say, all claims that are located within the boundaries of this, the Cherry Creek Mining District—

There being then no further business to be presented for the consideration of the meeting it was thereupon adjourned without day—

Minutes attested, as a correct record of the transactions of the meeting

O. G. LEACH *Chairman*

BARTHOLOMEW O'CONNOR *Secretary*—

MINUTES OF THE PROCEEDINGS OF THE MEETING HELD ON THE SECOND MONDAY IN NOVEMBER 1873, FOR THE PURPOSE OF ELECTING A MINING RECORDER FOR THE ENSUEING YEAR CALLED IN ACCORDANCE WITH THE BY-LAWS OF CHERRY CREEK MINING DISTRICT—

After closing the polls motion was made by M. Raum that Article 4 of the by-laws be amended so that "For transcript of location two dollars" shall read "For transcript of location ten dollars"—Motion seconded and put to a vote by the president and carried by a unanimous vote—Motion was made by M. Raum that the mining Recorder shall be required to go on the ground before recording any mining location, Motion seconded, put to a vote by the President and passed—

Meeting adjourned sine die

CHERRY CREEK MINING DISTRICT *Nov* 10″ 1873—

JOHN CURTIS *President*—

D. R. COLLINS *Secretary*—

LINCOLN COUNTY.—EL DORADO CAÑON MINING DISTRICT.

MINUTES OF MINERS MEETING

At a meeting of the miners of Eldorado Canon held at the N. C. M & M Cos works for the purpose of electing a Recorder Forming a District etc, Previous notice having been given, by posting Notices, It was unanimously resolved to postpone said meeting until the 1st day of June 1874,

ELDORADO CANON *April* 11*th* 1874

At a Postponed Meeting of the Miners of Eldorado Canon

The meeting was called to order by J H Nash, R. W Clark was called to the chair, and, M. R. Neville chosen secty

The minutes of the last meeting was read and approved,

The By Laws were offered by sections and unanimously adopted

J. H. Nash was elected Recorder from date to the 1st day of July A. D, 1875, after which the meeting adjourned Sinie Die

ELDORADO CAÑON LINCOLN COUNTY NEVADA 1*st June* 1874

R. W. CLARK *Chairman*

M. R. NEVILLE *Secty*

LAWS OF ELDORADO CAÑON MINING DISTRICT LINCOLN COUNTY NEVADA OCT 1870

SECT 1 This District shall be Known as the Eldorado Cañon Mining District, Bounded as follows Begining at the works of the Nevada Consolidated and running north six miles for a starting point, Thence West six miles, Thence South twelve miles, Thence East twelve miles, Thence North twelve miles Thence West six miles to the starting point

2 There shall be a Mining Recorder elected on the first Monday in June each year, holding office from the 1st day of July following his election for one year, unless sooner removed by a new election, which can only be done by a written call signed by at least twenty claim owners, giving notice of a new election to be held after said notice shall have been posted in at least three conspicous places in the District for twenty days

3 It shall be the duty of the recorder to keep in a suitable book or books a complete full and truthfull Record of all District Meetings To go upon the ground, survey and record claims in order of their date, for which services he shall be entitled to the sum of Three dollars for each and evry claim recorded

SEC 4 It shall be the duty of the Recorde to keep his books open for inspection, He shall have power to appoint a Deputy to act for him; for whose Official acts; he shall be responsible,

5 It shall be the duty of the Recorder to deliver to his sucessor in office, all books, papers, and records belonging to or pertaining to his office

6 All examination of the Records Shall be in the presense of the Recorder or his Depty

7. Notice of a claim of Location of Mining Ground by individuals or company on File in the Recorders Office shall be deemed equivulent to a Record of the same

8 It shall be the duty of any individual or company opening a mining claim, to do at least Fifty dollars worth of work thereon within sixty days after date of location or such claim shall be deemed abandoned and subject to relocation

9 All locations wether by individuals or company shall conform to the United States Mining Laws of A. D. Eighteen Hundred and seventy two and shall be Recorded within Ten days after date of notice or the same shall be deemed abandoned and subject to relocation

10 These Laws shall take effect on and after their passage and all previous Laws are hereby repealed,

ELDORADO CAÑON *June* 7th 1880

In persuance to the by laws and a call duly published a Mines meeting was this day called in the Eldorado Mining District, P. W. Davis was elected chairman, and Hans Gottfredson Secretary,

On motion the following resolutions amending the by laws were severally unanimously adopted

Resolved "that" sec 2nd be amended to read as follows

SEC 2nd There shall be a mining recorder elected on the 1st Monday in June each year, holding office from the 10th of June following his election unless sooner removed by a new election, which can only be done by a written call signed by at least three Claim holders, giving notice of a new election, to be held, after said notice shall have been posted in at least three conspicous places in the district for twenty days,

Resolved that sec 3 shall read as follows

SEC 3 It shall be the duty of the Recorder to keep in a suitable place the book or books of Record a complete record of all District Meetings and of all notices of Locations left with him for record For which service he shall be entitled to three dollars for each location notice recorded

Resolved that the by laws be amended by the addition of the following

SEC 11 That for any and all purposes a meeting of the miners of this District may be called by a notice setting forth the cause of said meeting and otherwise conforming to the provisions of Sec 2nd

Resolved that the by laws of the district be amended by the addition of the following,

SEC 12 The qualification of an elector in this district shall be the actual holding of a mining claim as principal or agent

Hans Gottfredson was elected Recorder for the ensuing year
Attest

J. H. NASH *Recorder*
By WM BALDERSTON *depy*

LANDER COUNTY.—LEWIS MINING DISTRICT.

RECORDS OF LEWIS DISTRICT 1874. E. T. GEORGE.

At a meeting of the miners and prospectors held at this place on the Twenty second day of August 1874. Jos Dusang Esq in the chair E T. George was elected Secretary it was,

Resolved that this District shall be know as "Lewis District and shall extend over a scope of country 6 miles square, the mine known as the "Estella Nevada" to be the center of such District (initiary or starting point and that we hereby adopt the United States Mining Laws as the Laws of the district, with the following bye-Laws.

1. That each claim shall be recorded within 30 days after Location and that ($20) Twenty Dollars worth of Labor shall be expended within Forty days after Location

2. That the sum of Five dollars ($5) per day be allowed each person employed on such claims and that the Twenty dollars so expended be deducted from the $100 One hundred dollars Annual Assessment according to the United States Mining Law.

3. That a meeting of the miners be held on the 3rd Saturday in August in each year for the purpose of electing a Recorder.

That E. T. George is hereby elected Recorder for Lewis district for the year ending on the Third Saturday in August 1875 and shall receive the sum of Four Dollars ($4) for each claim recorded by him.

4. That the miners may call a meeting at any time for the purpose of amending the Bye Laws or transaction of other business that may come before them.

JOS DUSANG *Chairman*

E. T. GEORGE *Secratary*
LEWIS DISTRICT *Aug* 22 1874.

Pursuant to a call of the Recorder of the District an election was held at Davis Saloon this day and E. T. George was re-elected Recorder of the District for the year ending Aug 31st 1876.

WILLIAM BEESON *Judge of Election*
HUGH DILLETTI *Chairman of Meeting*
E. T. GEORGE *Secratary*

The following Bye Laws were adopted.

No 1 of the old Bye Laws changed from 30 days after Location to 20 days after Location, to record claims

5. That all miners employed in the mines of Lewis District and mine owners in said District are legal voters of Lewis District

NYE COUNTY.—SPANISH BELT MINING DISTRICT.

SPANISH BELT—NYE COUNTY *December 31st* 1874

NOTICE OF MEETING

A miners meeting of persons interested in what is known as the Spanish Belt Mines in Nye County Nevada, will be held on the 31st day of December A. D. 1874 at 12, o'clock M at the Barcelona mine in Spanish Belt for the purpose of organizing a Mining District including the mines of said Belt under the laws of the "United States Congress"—

SPANISH BELT *November 25th* 1874

M. SAN PEDRO
ANTONIO VILLANEVA
M. C. SAN PEDRO
H. A. GASTON
ESTABAN FORESTE
MANUEL GONGALEZ
D. SILVA

Pursuant to notice of which the foregoing is a copy a miners meeting convened at the Barcelona mine in Spanish Belt on the 31st day of Dec A D 1874 at 12 o'clock A. M.

Whereupon it was moved & seconded that the meeting adjourn until January 1st 1875 at 9 o'clock A. M. for the purpose of determining upon the proper & best place of organization, which motion was adopted—

SPANISH BELT *January 1st* 1875

The meeting was called to order by H. A. Gaston who moved that Geo Nichols act as Chairman of the meeting which motion was adopted—& on motion of M. San Pedro, H. A. Gaston was elected Secretary—

The following named gentlemen mine owners & miners interested in the proposed new mining dis't were present to wit—Peter Rice—C. W. Hollis—J. B. Hollis—M. San Pedro—Geo Curschman—Wm McCame—J. McCame—L. Sota—G. Nicholl—Jos Castano—L. Fidanzo—M. C. Booth—Jos Silva—M. Gonzalez—H. A. Gaston—Esteban Foreste—

On motion of the Sect'y the meeting was resolved into a Committee of the Whole to consider a code of laws for the government of the proposed new Dist which code was presented by the Sect'y which was accordingly done Geo Nicholl presiding in committee—The com considered the said code by sections recommended the adoption of the same as amended arose, & the meeting proceeded to business—G Nicholl in the chair—Whereupon it was moved by the Sect'y that the following code of laws, as recommended by the Committee of the Whole be adopted—

SEC—1—This Dis't shall be known as the Spanish Belt Mining Dis't—

SEC 2—The boundaries of this Dist shall be as follows to wit—Commencing at the divide between Spanish Belt & Jefferson at a point due north from the mouth of the incline of the Barcelona mine in Spanish Belt & running due East from said point two miles, thence at a right angle South nine miles, thence at a right angle West six miles, thence at a right angle North nine miles & thence at a right angle East four miles to the place of beginning—

SEC 3—The laws of this Dist shall be the Act of Congress of the United States approved May 10th 1872 & the acts of Congress subsequent thereto, so far as the same can be made applicable to the District—

SEC 4—A Dist Mining Recorder shall be elected for the Dist, who shall hold his office for one year from the date of his election & until his successor shall have been elected & qualified according to law, and annually hereafter to wit—on the first Monday after the 1st day of January of each year by the votes of the majority of the owners of mining claims in the Dis't who may be present at any meeting held for the purpose of such election—The Recorder may appoint a Deputy who shall reside in the Dis't & it shall be the duty of the Recorder by himself or deputy to go on the ground before recording any claims, see that all notices & monuments are properly placed, keep a full & correct record of the same which shall be open to public inspection at all times & to record *under his protest* all conflicting claims—

SEC 5—The notices of claims in this Dist shall be put on a monument erected on the vein or lode claimed or at a conspicuous place adjacent thereto & shall contain the name or names of the locator or locators, the date of the location, the number of feet claimed & such a description of the claim or claims by reference to some natural object or permanent monument as will identify the claim & the location of each claim shall be so distinctly marked on the surface ground, that its boundaries can be readily seen & traced—a duplicate of the notice above described shall be filed with the mining Recorder of the Dist & his fees for recording the same paid, within ten days of the date of locating the claim, or the claim shall be subject to relocation—Three hundred feet of ground on each side of the centre of the vein or lode discovered & claimed, shall be deemed sufficient surface for the convenient use & occupation of the claim—

SEC 6—No person or persons shall claim more than fifteen hundred linear feet along any lode in any one location, but one person may locate or any number of persons may unite in locating such number of linear feet or any number of linear feet less than fifteen hundred—

SEC 7—In case of difference between claimants respecting the boundaries of or rights to, or interests legal or equitable in claims, such differances shall be settled by arbitration as follows to wit—The representative or representatives of each of such conflicting claims shall select each, a disinterested person for arbitrator & the two arbitrators so chosen shall select a third disinterested person to act with them—The facts of the differences shall be submitted by the parties differing to the three umpires so chosen & the dicision of the arbitrators or a majority of them shall be deemed the right of the case—

SEC 8—These laws may be amended at any meeting of the mine owners of the district, called by ten mine owners, holding interests in ten different mines in the Dis't after such call shall have been posted, in writing, thirty days in three public places, stating the object of the meeting called to wit—one at the County Court house—one at the Dis't Recorders office & one in the Dis't—But no amendment shall be adopted at any time, which shall interfere with the vested rights of any person at the date of the adoption of such amendment or which shall affect or limit Section 3 of these laws at any time—

SEC 9—No mining claim located & recorded prior to this date the title of which has been kept good, under the laws of Philadelphia Mining Dis't shall be affected in any manner whatever by the laws of this Dis't, but any claimant or claimant of mines within the boundaries of this Dis't desiring so to do, may relocate their mine or mines under the laws of this Dis't—& it is understood that all mines located & filed for record on the first day of January 1875 may be included as & considered filed for record under the mining laws of this Dis't—

SEC 10—These laws shall take effect & be in force, throughout this Dis't from and after their adoption—A copy of them shall be filed for record in the office of the County Recorder in & for Nye County Nevada on or before the 5th day of January 1875 & also a copy of the same shall be published in the "Belmont Courier"—

Which motion was unanimously adopted—

On motion of H. A. Gaston—Geo Nicholl Esq was was elected, unanimously, as mining Recorder for Spanish Belt Mining Dis't for the ensuing year—

No further business appearing on motion of the Sect'y the meeting adjourned without day—

G. NICHOLL *Chairman*

H. A. GASTON *Secretary*—

WASHOE COUNTY.—PYRAMID LAKE MINING DISTRICT.

PYRAMID LAKE DISTRICT *April 12th* 1876

At a Miners Meeting held in the Pyramid Lake District at the Mine of Dr S. Bishop known as the "Mamonth" on the 12th day of April 1876. The following business was transacted.

The Meeting being called to order Mr. E. F. Morrill was elected chairman E. L. Bridges acting as secretary

The following Laws and By Laws were read and adopted. Mr. R. C. Johnson was elected as District Recorder for the ensueing term of two years.

LAWS AND BY LAWS

1st The name of the District shall be "Pyramid Lake District"

2nd The boundaries of the District shall be as follows to wit—Commencing at a point on the North boundary of Washoe County where the Carson River Guide Meridian on the East boundary of T— N R 20 E. Intersects said County line Thence South along said Meridian to the Truckee River. Thence East following said Truckee River to its mouth. Thence North following the West Shore line of Pyramid Lake to a point 10 Miles North of the North boundary of Washoe County Thence West to said Meridian Thence South to place of beginning.

3d (Sec. 2 U. S. M. Laws) A Mining Claim wether located by one or more persons may equal but shall not exceed one thousand five hundred feet in length along the Vein or Lode: but no location of a Mining claim shall be made until the discovery of the Vein or Lode within its limits. No claim shall extend more than three hundred feet on each side of the Vein at the surface, nor shall any claim be limited by any mining regulations to less than twenty five feet on each side of the Middle of the Vein at the surface And the end lines of each location shall be parralell to each other.

4th (Sec 4 U. S. M. Laws) That when a Tunnel is run for the development of a Vein or Lode or for the discovery of Mines, the owners of such Tunnel shall have the right of possession of all Veins or Lodes within three thousand feet from the face of the Tunnel on the line thereof not previously known to exist, discovered in such Tunnel to the same extent as if discovered from the surface and no location on the line of such Tunnel of Veins or Lodes not appearing on the surface made by other parties after the commencement of the Tunnel and while the same is being prosecuted with reasonable diligence shall be valid but failing to prosecute the work on the Tunnel for six months shall be considered an abandonment of the right to all undiscovered Veins on the line of said Tunnel.

5th Alluvial or Delluvial deposits commonaly known as Placers. Each person shall be entitled to a claim two hundred feet square.

6th (Sec 5 U S M Laws) Miners of the District may make rules and regulations not in conflict with the Laws of the United States and the Laws of the State of Nevada governing locations manner of Recording amount of work necessary to hold possession of a Mining claim. Subject to the following requirements. The location must be distinctly marked on the ground, so that the boundaries can be readily traced. On each location and until a patent shall have been issued therefore not less than one hundred Dollars worth of work shall be performed or improvements made during each year. On all claims located prior to the passage of the Act of Congress entitled An Act to promote the development of the Mining resources of the United States approved May 10th 1872. Ten Dollars worth of labor shall be performed or improvements made each year for each one hundred feet in length along the Vein until a patent shall have been issued therefore; but when such claims are held in common such expenditure may be made upon any one claim and upon a failure to comply with these conditions the claim or mines upon which such failure occurred, shall be open to re-location in the same manner as if no location of the same had ever been made *Provided* That the orriginal locators their heirs assigns or legal representatives have resumed work upon the claim after such failure and before such location. Upon the failure of any of the co-owners to contribute his proportion of the expenditures required by this Article, the co-owners who have performed the labor or made the improvements, may at the expiration of the year give such delinquent co-owner notice in writing or by publication in a newspaper published nearest the claim for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by Publication such delinquent should fail or refuse to contribute his proportion to comply with this Article, his interest in the claim shall become the property of his co-owners, who have made the reqnired expenditure.—

7th All Mining locations shall be recorded in the District Recorders office and within twenty days after location and the District Recorder or some person duly authorised by him, shall measure and mark all claims on the ground, and establish boundary monuments to the same.

8th A District Recorder shall be elected bi-annually and he shall hold his office for the term of two years and until his successor is elected and he may appoint one or more deputies for whose acts he shall be responsible.

9th The election of District Recorder shall be by ballot, and the bi-annual election of Recorder shall be held within the District every two years thereafter unless otherwise ordered by a majority of the Miners of the District

10th The Records of the District shall be kept safe from fire.

11th All Meetings and elections shall be called by the Recorder, at the written request of at least five Miners of the District, and be posted in three public places for at least ten days before such meeting or election shall take place.

12th Two days assessment work shall be done on every mining claim within ten days after Recording the same and after one hundred Dollars worth of work has been done or improvements made as required by Sec 5 Mining Laws of the United States the same shall be recorded in the District Recorders office and verrified to before the District Recorder.

13th District Recorder's fees shall be as follows

For filing any Notice	.50
" recording Mining Notice	2.00
" each Name	.50
" transcript of record	2.00

In witness whereof our hands this 12th day of April 1876

E. F. MORRILL
E. L. BRIDGES
R. C. JOHNSON
J. RHEINHARD
S. S. BROWN

We the Undersigned Miners of Pyramid Lake Mining District, Washoe County, Nevada Do hereby agree to and adopt the following as Boundaries of Said District namely Beginning at the intersection of the Northern Boundary of Washoe County with the Carson River Guide Meridian, thence following the North boundary of Washoe County to the Westerly Shore of Pyramid Lake thence along said shore

of said Lake to the mouth of Truckee River thence up said river to the place where the Carson River guide meridian crosses it thence along said meridian north to the place of beginning being in Ranges 21. 22. 23 and part of 24 E. M. D. B. and M.

WASHOE COUNTY *June* 13. 1876

N. D. CHAMBERLIN	G. C. WHITE
T. H. WELLS	JOHN POOL
GEO. L. PORTER	JOHN L. GILLSON
G. N. BRADLEY	N. PERCIVAL

(Some 25 other names are also signed in the original)

"PYRAMID LAKE DISTRICT WASHOE COUNTY NEVADA *July* 15th 1876

At a Meeting of the Miners of the above named Dist. held at the Recorders Office at Cold Springs persuant to a call made according to the Laws of Said Dist. E. S. McClellan was elected Chairman and B. L. King Secretary after which the following business was transacted

Resolved by the Miners present at this Meeting that the two days worke required by the present Laws of this Dist to be done within ten days after the location of the Claim Must also be recorded by the Dist Recorder or some one by him duely authorised after a personal inspection of the said worke Said record of worke must be made within two days after the worke has been done or within twelve (12) days after Recording the location Notice This Law to apply only in cases where parties are not in continual possession of the Mine or where in case of a discontinuance of Worke Fees allowed for said Record $2\frac{00}{100}$ and $2\frac{00}{100}$ additional fees for visiting the ground and inspecting the Work Said Resolution to take effect on and after August 1st 1876 This Law to apply on all locations made in this District before and after this date

Resolution Carried

On Motion of Mr. Muron a Vote of the Meeting was taken allowing the Recorder a fee of $4\frac{00}{100}$ for Measuring and Markeing the Boundaries of Mining Claims Also carried

On Motion the following fees were by unanimous Vote addopted governing charges allowed District Recorder

For Filing any Notice	.50
" Recording Mining Notice	2.00
" Each extra Name	.50
" Transcript of Record	2.00
" Recording Assessment work	2.00
" Visiting the ground and estimating work done	2.00
" Measureing and Markeing the Boundaries of a claim	4.00

Minutes approved by the meeting after which Meeting adjourned

B. L. KING *Sectratary*"

WASHOE COUNTY.—COTTONWOOD MINING DISTRICT.

Known to all men by these present that we the undersigned this day the 20th of June A. D. 1876 held a meeting at Mc. Clellan's ranch for the purpose of electing a District Recorder for the new Mining District North, Northeast & Northwest of said ranch running as far as the South boundary of Pyramid District, and in a Westerly direction to a ravine where a big Cottonwood tree stands; & in a Easterly direction to whereabout Wilcox's ranch lays & East across the mountains to the Truckee River. After taking the votes of all present, it was found that Mr. E. S. McClellan was duly elected & it was resolved to extend a written document of this act & have it filed in the County office of Washoe-County. This was done at McClellans ranch in Cottonwood Mining District 25 miles North-East of the town of Reno Washoe-County, Nevada

CHAS. BÉDAS *Secretary*

J. W. LOOMIS	WM JAMES	JOHN WILCOX
JOHN. C. BISCHOP	ALBERT R. McCLELLAN	CHARLES BEVER
WM COLE	CHAS YORK	JOHN POE."

WASHOE COUNTY.—McCLELLAN MINING DISTRICT.

At a miners meeting held at McClellans Ranch on the 29th day of July A. D. 1876 the following business was transacted.

The meeting being called to order Mr. John Wilcox was elected chairman, Charles Bédas acting secretary.

The following Laws and by Laws were read and adopted.

SEC. 1. The Name of the District shall be the: McClellan District

SEC. 2. The boundaries of the District shall be as follows: commencing on the Carson River guide Meridian or the East Boundary of T. N. R. 20 E. at or near Coyote Springs and running as far South as Spanish Springs, thence East to the summit of the hills east of Wilcox's Ranch thence North following that Summit to the head of Piute Canyon, thence westerly following the Summit of the range of hills between the Pyramid Pass and Cottonwood Valley to the intersection with the Carson River guide Meridian, thence South to place of beginning

SEC. 3. Sec 2nd U. S. Mining Laws: A mining Claim wether located by one or more persons may equal but shall not exceed one thousand five hundred feet in length along the vein or lode; but no location of a mining claim shall be made untill the discovery of the vein or Lode within its limits. No claim shall extend more than three hundred feet in width on each side of the vein at the surface,

nor shall any claim be limited by any Mining regulations to less than twenty five feet on each side of the vein or lode at the surface and the endlines of each location shall be parallel to each other

SEC. 4. Sec 4th U. S. Mining laws: That, when a tunnel is run for the developpement of a vein or lode or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of the tunnel on the line thereof not previously known to exist, discovered in such tunnel to the same extent as if discovered from the surface and no location on the line of such tunnel of veins or lodes not appearing on the surface made by other parties after the commencement of the tunnel and while the same is being prosecuted with reasonable diligence shall be valid, but failure to prosecute the work on the tunnel for six months shall be considered an abandonment of the right to all undiscovered veins or lodes on the line of said tunnel.

SEC. 5. Sec 5 U. S. Ming Laws: Miners of the District may make rules and regulations not in conflict with the Laws of the U. S. or the State of Nevada governing the locations, manner of recording, amount of work necessary to hold possession of a Mining Claim subject to the following requirement: the location must be distinctly marked on the ground so that the boundaries can be readily traced on each location and untill a Patent shall have been issued therefore not less than one hundred dollars worth of work shall be performed or improvements made during each year on all claims located prior to the passage of the Act of Congress entitled an act to promote the developpement of the Mining Resources of the U. S. approved May 10th 1872, ten dollars worth of work shall be performed or improvements made each year for each one hundred feet in length along the veins untill a Patent shall have been issued therefore; but when such claims are held in common such expenditure may be made on any one claim and upon a failure to comply with this conditions the claims or mines upon which such failure occurred shall be open to relocations in the same manner as if no location of the same had ever been made, *provided* that the original locators, their heirs, assigns or legal representatives have resumed work upon the claim after such failure and before such location; upon a failure of any of the coowners to contribute his proportion of the expenses required by this article the coowners who have performed the labor or made the improvements may at the expiration of the year give notice to such delinquent coowners in writing or by publication in a Newspaper published nearest the claim for at least once a week for ninety days and if at the expiration of ninety days after such Notice in writing or by publication such delinquent should fail or refuse to contribute his proportion to comply with this article his interest in the claim shall become the property of the coowners who have made the required improvements.

BY-LAWS

SEC. 1st A District Recorder shall be elected annually and shall hold his office for the term of one year and untill his successor is elected and he may appoint one or more deputies for whose acts he shall be responsible.

SEC. 2d. The election of a District Recorder shall be by ballot and the election shall be held within the District annually unless otherwise ordered by a Majority of the Miners of the District.

SEC. 3d. All mining locations shall be recorded in the District Recorders Office and within (20) (twenty) days after location and the District Recorder or some person duly authorized by him shall measure and mark all claims on the ground and establish boundarie-monuments to the same.

SEC. 4. All meetings and elections shall be called by the Recorder at the written request of at least five miners of the District and be posted in three public places in the District at least ten days prior to such meeting or election.

SEC. 5. Two days assessment work shall be done on every Mining Claim within thirty days after having located the same and, after one hundred dollars worth of work has been done or improvements made as required by Sec. 5 of U. S. M. Laws the same shall be recorded in the District Recorders Office and verified to before the Recorder.

SEC. 6. The Fees for Recording shall be as follows:

For filing a Notice	$0.25
" recording a Notice	1.00
" each additional name	0.25
" Measuring a claim	4.00

Mr. E. S. McClellan was by ballot duly elected Recorder for the term of one year

CHARLES BÉDAS	W. W. COLE
JOHN ECKERT	E. S. McCLELLAN
JOHN C. BISCHOP	J. W. WILCOX
F. WIGHTMAN	A. R. McCLELLAN

After singing the Laws and Bye Laws the meeting adjourned to meet at the call of the Recorder

J. W. WILCOX *Chairman*

CHAS. BÉDAS *Secy*

LINCOLN COUNTY.—JACK RABBIT MINING DISTRICT.

BY LAWS OF MINING DISTRICT

By a vote of the Miners on Sept. 25th 1877, Bristol District was divided and a new district formed with the following boundaries. on the South East by the Highland Mining Dis't on the North West by the Last Chance Mining Dis't, on the South by the summit of the Mountain, on the North by the valley, and named the "Jack Rabbit Mining District" and the following by laws were adopted to govern the district "To wit"

SEC 1 Each individual Mining Claim made in the district shall in Conformity with the United States mining laws consist of fifteen hundred feet in length on the ledge or lode together with all dips spurs and angles appertaining to said ledge or lode located for mining purposes also three hundred feet on each side of ledge or lode located, for mining purposes.

SEC 2 Locations shall be made by placing a legible notice securely and conspicuously on the ledge or lode by either of the following methods. "namely" on a monument of stone not less than three feet high and well built, or on a post firmly put in the ground not less than three inches through and two feet above ground or on a tree not less than four inches through which notice shall state the number of feet claimed in the location. the names of the parties locating the same and the number of feet for which each name is located and the name or names by which the ledge or lode shall hereafter be known and also as near as practicable the local position of the claim in the district.

SEC 3 ARTICLE 1 An annual meeting of the miners of this district shall be held on the second Monday in September of each and every year at which time a district Recorder shall be Elected and any other business transacted which may properly come before the meeting.

ARTICLE 2 The Recorder shall hold office one year from the date of his election and untill his successor is qualified. before entering upon the duties of his office he shall file in the office of the nearest sitting magistrate or notary an oath or affirmation that he will duly and faithfuly perform the duties of his office as required by the laws of this district.

ARTICLE 3 He shall procure at his own cost suitable books on which he shall legibly inscribe a record of all mining claims presented to him for recording keeping the same properly invoiced in a seperate book. also a book in which he shall keep a record of the minutes of the district meetings both annual and called and at the expiration of his term of office deliver the same in good condition to his successor.

ARTICLE 4 He shall at all reasonable times keep the books of record open to the inspection of the public but only in the presence of himself or one of his deputies.

ARTICLE 5 He shall number consecutively the claim recorded endorseing the number of notice posted on the claim.

ARTICLE 6 He shall receive for each and every location recorded the sum of two dollars gold coin for issueing certificate of location.

ARTICLE 7 The recorder shall have power to appoint one or more deputies who shall reside in the district for whose acts he shall be responsible. he shall not be compelled to perform any act pertaining to his office without receiveing his lawful fees.

ARTICLE 8 He shall on the application of any party interested visit any mining claim and survey the amount of work done and performed upon the same issueing a certificate as to the amount of work on the same according to the best of his judgement for which service he shall be entitled to the sum of five dollars gold coin which he may demand in advance.

ARTICLE 9 The recorder shall give at least ten days notice of the time of holding annual or called meetings by posting not less than two notices posted in conspicuous places in the district.

ARTICLE 10 At the written request of not less than five miners of the district he shall in the manner prescribed issue a call for a special meeting of miners stating the time and place where said meeting shall be held and the object for which called. at said meeting no business shall be transacted other than that specified and named in the call.

ARTICLE 11 In case of death or resignation or removal from office for cause or his own voluntary absence from the district for six months the office of recorder shall be declared vacant. and the deputy recorder shall notify the miners that an election is to be held to fill the vacant office of recorder stating time of meeting and place where such meeting is to be held, untill such election is held and the newly elected recorder is qualified the deputy recorder shall exersise the duties of his office.

ARTICLE 12 Only bonafide miners shall have the privilige of participating in any election or meeting and no person shall be considered a miner unless he has a claim recorded and worked according to the district by laws.

ARTICLE 13 On the application of any party wishing to make locations it shall be the duty of the recorder to go on the ground to be located and see all the marks and boundaries of such location before making any record of the same and in making all records it shall be the duty of the recorder to record a true copy of the notice posted on the claim at the time of such application for which services he will be allowed three dollars gold coin

ARTICLE 14 It shall be the duty of the recorder to transfer when presented all records free of charge recorded in Bristol District but now belonging to the Jack Rabbit Mining District.

I hereby certify that the above is a true and correct copy of the by laws of Jack Rabbit Mining District

GEORGE F WEED *Mining Recorder Jack Rabbit District.*

ROYAL CITY, LINCOLN CO. NEVADA *December 23d A. D.* 1878

HUMBOLDT COUNTY.—MOUNT ROSE MINING DISTRICT.

BY LAWS OF MT. ROSE DST.

Pursuant to a call a meeting of the miners of Mt. Rose Mg. Dst. held this 19th of March 1878 the following business was transacted.

M. W. Havalin was elected chairman pro. tem. A. L. Washburn was elected secty. of said meeting,,

A. № 1. The name of this district shall be Mt. Rose Mg. Dest,,

A. № 2. This district is bounded on the west by the Summit of the range west of Paradise Valley on the North and East by Martin Crk. on the South by a line running due west from hot Springs situated on the little Humboldt about 6 miles from Martin Creek.

№ 3 That every claim of 1500 feet shall have $50 worth of work done on said claim within 90 days from the date of location

№ 4 That $1.00 shall be the fee for filing notice of location,,

№ 5. That 300 ft. from the center of lead each way shall be allowed by the laws of this district.

№ 6. The fees for recording shall be $3 for each notice of location

M. W. HAVALIN, *Chairman*

A. L. WASHBURN *Secty*

HUMBOLDT COUNTY.—HUMBOLDT MINING DISTRICT.

At a regular called meeting of the miners of Humboldt District held at Humboldt House October 25th 1875, O. C. Wheeler was appointed chairman and J F. Kunkel, Secretary. Said meeting being called for the purpose of electing a Recorder and adopting District By Laws

On motion it was resolved to proceed to the adoption of By Laws: which after due deliberation were adopted as follows:

I. *Boundaries* This District is bounded as follows. Northerly Eagle Cañon Easterly by the summit of the mountain opposite Santa Clara and Star Districts Southerly Antelope Cañon Westerly, by a line one half a mile Westerly by Central Pacific Rail Road track.

II. *Annual Meeting and Election* The miners of this District shall annually on the third Monday of October elect a Recorder, who shall be *Ex-Officio* Surveyor and who shall hold office one year or untill his successor shall be elected

III *Duties of Recorder.* Said Recorder shall on proper application, make surveys of, place monuments upon, and duly record, in accordance with the Laws of the United States,—all mining claims within the District. which shall be applied for by persons qualified to locate such claims.

IV *Compensation of Recorder.* For such surveys and placing of monuments, he shall be entitled to collect from the claimants, for each claim the sum of ten dollars and for recording the sum of two dollars and fifty cents for each claim.

V *Notice of Meetings.* He shall also give notice of the annual meeting by posting at his office the time and place of holding it, and publishing the same in a News Paper printed nearest his office—if a Daily—for ten successive days, and if a Weekly—for three successive weeks, and shall give like notice of any special meeting which he may be requested to call—by the written request of five miners of this District

VI *Books of Record* He shall keep in a book, prepared for that purpose, a complete record of all claims duly presented in their order of their application, and shall furnish abstracts of the same when called for, at one Dollar each, He shall also keep in another book a complete record of the proceedings of all duly called miners meetings in this District.

VII *Inspection of Books.* He shall keep all records in a secure place within this District, holding the same at all times subject to the inspection of any person interested in this District, but only in the presence of himself or his deputy

VIII *Of Deputy.* He may at his pleasure, appoint and remove, a Deputy, all of his official acts shall have the same force and effect as his own.

IX *Size of previously located claims* All claims in this District located and recorded according to the United States Laws, prior to October 25th 1875 and not exceeding fifteen hundred feet in length, and six hundred feet in breadth, shall be held to be legal and shall not be efectted by these By Laws.

X *Size of claims in future* No claim located and recorded in this District, on or after October 25th 1875 shall exceed in length, along the line of the ledge, or lode fifteen hundred feet and One hundred latteral feet on each sid from the center of the ledge or Lode, at the surface of the ground.

XI *Time for filing description for record* Within twenty days after the location and survey of any claim, in this District, a full description of the same shall be filed with the recorder, who shall thereupon issue the usual certificate of location and record.

XII *Amendments.* These By-Laws may be altered or amended at any duly called miners meeting, Notice of such amendments having been given with the notice of said meeting.

NOTE.—No amendments have been made.

Resolved That any person, the record of whose claims is *unsufficiently* descriptive in the present book of records, shall be entitled to have the same remedied, by marginal notes, provided he makes application to the Recorder for the same within two days of October 25th 1875.

On proceeding to the election of Recorder, L. A. Blakeslee of Humboldt was unanimously chosen.

This District was formed in the year 1860. All of the early records, prior to October 25th 1875 were destroyed by fire.

NEW MEXICO.

SANTA FÉ COUNTY.—LOS CERRILLOS MINING DISTRICT.

RULES AND REGULATIONS OF THE LOS CERRILLOS MINING DISTRICT.

At a Miners Meeting held in Carbonateville Los Cerrillos mining district Sept. 1st 1879—the following rules and regulations were adopted.

ARTICLE I.

SEC. 1st That the rules and regulations adopted at a miners meeting at the mining camp of Dimick and Hart on the 27th day of May 1879 be amended and repealed as to read as follows—

SECT. 2nd That this mining district be organized under the mining laws of the United States, and Territory of New Mexico, and it shall be known as "Los Cerrillos Mining District." and shall be bounded as follows to-wit:

The South boundary line shall be the Galisteo River; and the west boundary line shall be the east boundary line of the Galisteo District previously established; and from the Northeast corner of the Galisteo Dristrict to Pino's ranch on Cerrillos creek—thence to Ojo Principal Spring. thence to San Marcos Springs, thence to Galisteo river along the Santa Fé and old Placer road.

SEC. 3rd That any person or persons here-after desiring to locate a mining claim upon a vein or lode of Quartz or other rock, in place, bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposit in this district, can do so by first putting a written notice at or near the discovery shaft. Said notice to be written in a plain legible hand and to state: (1) the direction or course as near as possible along the vein or ledge: (2) the number of linear feet claimed each way from the said vein, and the number of feet claimed on each side of the same shaft: (3) the name of the lode: (4) the name or names of the locator or locators: (5) the true date of location.

SEC. 4th That a mining claim in Los Cerrillos mining district shall not exceed in length along the vein or lode fifteen hundred linear feet (1500 ft.) nor more than one hundred and fifty (150) linear feet on either side of the discovery shaft vein or lode. The claim or claims shall be marked distinctly by nine (9) stakes or monuments put up as follows to wit: one at each corner of the surface ground one at the middle point of each side, and one at the middle point of each end line, and one at or near the discovery shaft. The stake or monument at or near the discovery shaft to contain the notice of location, and each of the other stakes or monuments their respective localities and the name of the lode.

SEC. 5th. That no location of a mining claim within this district shall be considered as complete until the following conditions are complied with, to wit: 1. The vein or lode shall be disclosed to view; 2 the stakes or monuments shall be put up and marked as required in Sec. 4th of this article. Provided always that the locator or locators shall have ten (10) days from the date of posting the location notice, in which to put up the steaks or monuments.

SEC. 6th. That in order to hold the possessory rights to a location or claim hereafter made, the owner or owners shall sink a shaft no less than ten (10) feet deep, within (90) ninety days from the date on location notice, on the vein or lode.

SEC. 7th. That all notices of location shall be recorded within (90) days from the date of location. Claims located prior to the passage of this rule will be subjected to the above conditions.

SEC. 8th. That in estimating the value of improvements under U. S. Laws viz: one hundred dollars ($100.) per annum on each mining claim, labor shall be estimated at ($4.00) four dollars per day, and the material, powder, fuse, tools etc, shall be estimated at their value as fixed by current prices in the district at the time the said material is used.

ARTICLE II.

SEC. 1st All controversies arising between miners in Los Cerrillos mining district in regard to mining claims situated in said district, shall be referred to a miners meeting to be called by the Recorder of said district, by first posting in four conspicuous places within the district, notices in writing stating the objects of the meeting at least three days before the day set for the meeting.

ARTICLE III.

SEC 1st. The annual election for a Recorder for Los Cerrillos mining district shall be held on the first Monday in September of each year.

SEC. 2nd The Recorder shall be elected by ballot. The candidate recieving the plurality of ballots cast by the miners owning claims, or mining in the district for (20) twenty days last past in Los Cerrillos mining district shall be declared elected by the chairman of the meeting.

SEC. 3rd The Recorder shall hold his office until his successor is elected and qualified.

ARTICLE IV.

SEC. 1st It shall be the duty of the Recorder to faithfully record in a book or books kept for that purpose all notices of locations, deeds of transfer, and the minutes of all meetings ets. in good legible handwriting and in a neat and proper manner.

SEC. 2nd. It shall be his duty to call all meetings when requested to do so by any five persons interested in Los Cirrillos mining district: and the miners present at said meeting shall select a chairman for said meeting.

SEC. 3rd It shall be the duty of the Recorder to keep safe and secure the books and records of Los Cerrillos mining district in his office, and he shall not be allowed to let any person take them therefrom; but shall keep them open for the inspection of any person at all reasonable hours.

SEC. 4th The Recorder shall receive, for recording each claim or deed of transfer, the sum of $2—two dollars—but he shall not be compelled to file or record until he is paid his fees. He shall record said location notices or deeds of transfer, in the order in which they are presented to him, and shall write of the back of the said notices and deeds of transfer the words "Filed for Record," together with the day and date of the same; and it shall be his duty to have the location notices and deeds of transfer filed and recorded in the office of the Probate Clerk of Santa Fé County N. M., at his own expense. It shall be the duty of the Recorder to furnish a *Certified Copy* of said notice of location and deeds of transfer, when applied to at the same rate as allowed to the Clerk of Santa Fé County.

SEC. 5th It shall be the duty of the Recorder to have the Rules and Regulations of Los Cerrillos Mining district published in "Los Cerrillos Prospector" once a month and pay for the same out of the fees of his office

SEC. 6th. These Rules and Regulations shall be in force and take effect from and after their passage.

OREGON.

DOUGLAS COUNTY.—TENNESSEE MINING DISTRICT.

TENNESSEE GULCH DOUGLAS COUNTY OREGON *May* 28" 1860

At a meeting of the Miners of Tennessee Gulch held at "Percival and Taners" cabin on the said Gulch towit

SEC 1st *Resolved,* That a miner may hold one hundred yards square by location

SECN 2d *Resolved,* That any miner may hold two claims of one hundred yards each by purchase, provided, said claims shall be represented when considered workable

SECN 3d *Resolved;* That any miner shall represent each claim at least every ten day's

SECN 4" *Resolved* That any company working either of their claims shall be considered working the whole

SECN 5th *Resolved,* That after the 10th day of June, no claim on Tennessee Gulch shall be considered workable until the 10th day of Nov next

R C PERCIVAL	H W QUINE
B F POTEET	ROBERT TANNER
W A RUSSELL	JNO HALL
W L. WILSON	JNO WEIKLE

Filed & Recorded 2,15 p m 4th August 1862

R H DEARBORN *Recorder*
per JNO S WALTON *Deputy*

GRANT COUNTY.—JOHN DAY'S MINING DISTRICT.

TRANSCRIPT. LAWS AND REGULATIONS OF JOHN DAY'S MINING DISTRICT, OREGON.

At a miner's meeting held in John Day's District the 25th day of June, A. D. 1862, the following laws and regulations were passed to govern said district (interlined) "except such articles as have been amended, which

amended articles are inserted in place of the original." These laws and regulations to take effect from date of their passage.

This district shall be known as John Day's District, the limits of which shall be as follows: commencing at the mouth of Cañon creek, and running south to the head of Cañon, including all of its branches and tributaries; thence east to the head of Bissel creek, including all of its branches and tributaries; thence north to the middle fork of John Day's river; thence west to the place of beginning; and shall be governed by the following laws, to wit:

ARTICLE 1st. Each person mining in this district shall be entitled to two claims by location—one in a ravine, hill, gulch, creek, or flat, as the case may be, and one in the river—, and one by purchase. Every claim located or purchased shall be represented.

ARTICLE 2nd. Claims in Canon creek shall be seventy-five feet up and down, and from bank to bank—present occupants or owners to have choice of ground, and to have until 10 o'clock Monday, the 7th instant, to make such selection.

ARTICLE 3rd. Bank claims shall be seventy-five feet face, and running back to center of hill.

ARTICLE 4th. A creek claim shall be considered workable from the 1st of June until the 1st of November, except Cañon creek, which shall not be deemed workable until the 20th of July.

ARTICLE 5th. A ravine claim shall be one hundred and fifty feet in length by one hundred in width, running up or down the ravine. Gulch and creek claims to have the same limits or boundaries except Cañon creek.

ARTICLE 6th. A hill claim shall be one hundred and fifty feet face, and extend back to center of hill.

ARTICLE 7th. Quartz claims shall consist of one hundred feet on the vein or lead, with all its widths, depths, and angles. The discoverers to hold fifty feet each extra.

ARTICLE 8th. No claim shall be deemed forfeited from the 1st day of November until the 20th of June, A. D. 1863.

ARTICLE 9th. Any person or persons making discoveries of new mines within the limits of this district on any unprospected creek or gulch shall be entitled to one extra claim each.

ARTICLE 10th. All persons holding claims within this district shall be required to do one day's work in every seven, or the same shall be deemed forfeited. This law to take effect from and after its passage.

ARTICLE 11th. All notices on claims now located shall be renewed within three days after the passage of this law, or they shall be deemed forfeited.

ARTICLE 12th. All difficulties between miners shall be decided if possible by a miner's meeting or by arbitration.

ARTICLE 13th. Any person or persons locating water privileges for the purpose of conveying water from one point to another within the limits of the district shall declare their intention of doing so by a notice posted in some conspicuous place, and have the line of said ditch surveyed, and shall commence actual labor thereon within seven days after the location of said water privilege, or the same shall be deemed forfeited.

ARTICLE 14th. Chinese or Tartars are hereby prohibited from working these mines under any and all circumstances.

ARTICLE 15th. Any person or persons shall have the privilege of a drain race through any claim or claims.

ARTICLE 16th. The first claims or claim located shall have the first right to the water running in any gulch or stream.

ARTICLE 17th. Any person taking the water from its natural channel shall, when required, be compelled to leave at least one sluice head of water running therein.

ARTICLE 18th. Thirty square inches of running water shall constitute a sluice head.

ARTICLE 19th. No person disabled by sickness or absent in any of the Indian wars shall be deemed to have forfeited his claim by reason of such sickness or service.

ARTICLE 20th. All claims shall be distinctly marked by notices at the ends of bounds thereof, and no more ground shall be deemed claimed than is specified in the notice, which notice shall be in the name of the claimant.

ARTICLE 21st. All claims purchased shall be represented according to law.

ARTICLE 22nd. When two or more claims join each other and are worked by companies [they] may, if they see fit, work any portion thereof without forfeiting the rest.

ARTICLE 23rd. No hill or bank claim shall be allowed to tail off or sluice into the river during the working season thereof to the detriment of miners working the same.

ARTICLE 24th. All persons who may hereafter locate claims in this district shall have seven days from date of location in which to record their claims.

ARTICLE 25th. All persons now holding claims in this district shall have seven days to record the same from July 5th, 1862, the date of the passage of this resolution.

ARTICLE 26th. All persons *bona fide* holders of claims at this time, July 5th, 1862, who are absent on business shall have twenty days in which to record their claims, provided their partners come before the recorder and make oath that their partners are so absent, and that it is their intention to return to report themselves in person to the recorder; and the recorder is empowered to administer an oath.

ARTICLE 27th. All claims not workable for want of water, or that cannot be worked save to the detriment of river claims, as specified in the by laws of this district, shall not be forfeited, provided the said claims be recorded. All laws in conflict with this are hereby repealed.

ARTICLE 28th. The fees for recording shall be fifty cents for each claim and twenty-five cents for each bill of sale.

ARTICLE 29th. The recorder shall act as secretary at all meetings of the miners of this district. The recorder shall hold his office until July 4th, A. D. 1863.

(Signed) GEO. WOODMAN, *Recorder.*

JOHN DAY'S DISTRICT, *July 8th*, 1862.

The following note appears here:

"The above written laws are, as they now, at this date, are, July 8th, 1862, the amendments to old law being inserted".

(Signed) GEO. WOODMAN, *Recorder.*

Immediately after the above note appears the following:

"The following are the articles as passed at the meeting June 25th, 1862, which were amended July 4th and 5th, 1862, and do not appear in the before written laws":

ARTICLE 2nd of old law. The limits of each claim shall be one hundred and fifty feet in length by one hundred in width, running up or down the creek, stream, or gulch, except Cañon creek, which shall have the same bounds as river claims.

ARTICLE 3rd. A river claim shall extend from bank to bank, and all bars therein shall be considered river claims.

ARTICLE 10th. A bank claim shall be one hundred and fifty feet in length, running up or down creek or river, and extend back one hundred feet from rim rock.

ARTICLE 22nd. A hill claim shall be one hundred and fifty feet face, and extend back to center of hill.

"A correct copy from the original."

(Signed) GEO. WOODMAN, *Recorder.*

REPORT OF MEETING OF MINERS OF JOHN DAY'S DISTRICT HELD JULY 19TH, 1862.

Maj. Howard in chair.

Motion made and carried, that all owners of river claims shall have till the 20th of August to commence work, and all claimants above the Dalles trail crossing shall meet the recorder in person—or a representative of each company—at the said crossing, on Monday at eight o'clock A. M., and proceed up and define and mark the boundaries of the claim; and on Wednesday morning, at same [time or place] go down the creek and mark the claims below.

Motion made that bank claims shall extend back three hundred feet from the river bank.

Amended so as to read "and present owners shall have their choice of ground."

Accepted by mover and then carried.

On motion, quartz claims were exempted from being worked till 1st of July, A. D. 1863.

On motion, article 6th of present law was stricken out.

Motion carried, that the recorder be allowed to appoint a deputy for a day or two at a time.

E. H. HOWARD, *Chairman.*

(Signed) GEO. WOODMAN, *Secretary.*

LAW PASSED AUGUST 20TH, 1862.

At a meeting of the miners of John Day's District, held on Town Flat August 20th, 1862, Mr. Bledsoe was chosen chairman.

Motion was made that a base line be established across Cañon creek at the trail, at right angles with the creek bottom. Carried.

On motion, Mr. Bledsoe, Mr. Spar, and Dr. Williams were chosen to locate the base line.

Motion, that we affirm the decision of the Supreme Court of California, that priority of occupation gives priority of location in boundaries. Lost.

Motion, that at the point where a vacancy occurs, if on the west side of the creek (Cañon), if the full claims fall short the vacancy at that point shall be the loser. Carried.

Motion, that the Lone Star company be exempted from working their claims in the river till the completion of their ditch.

Amendment offered, that all claims in Cañon creek be laid over till another year, to be worked according to law, to which an

Amendment was offered, and accepted by the mover of the amendment, that no claim shall in Cañon creek be forfeited for lack of work till the time of working next year.

Which amendments were accepted as a part of the original motion and carried.

Meeting then adjourned.

JOS. H. BLEDSOE, *Chairman.*

(Signed) GEO. WOODMAN, *Secretary.*

REPORT OF A MINERS' MEETING HELD IN CAÑON CITY DECEMBER 25TH, 1862.

At a regular called meeting of the miners of John Day's District for the purpose of taking into consideration the propriety of framing a new set of laws to govern this district Dr. Owsley was elected chairman and J. W. Thompson secretary.

On motion, there was a committee elected to frame a set of laws of the following persons, ——— Adams, ——— Smith, ——— Grey, A. J. Dallas, and Zimmerman, to report at one o'clock Wednesday December 31st, 1862.

CAÑON CITY, *December* 31st, 1862.

The miners of John Day's District met to hear the report of their committee.

Committee reported a set of laws for their adoption or rejection.

Said laws were passed by sections, and adopted by striking out article 15th and substituting another, with an alteration in article 4th.

On motion adjourned.

WM. M. OWSLEY.

(Signed) J. W. THOMPSON, *Secretary.*

LAWS PASSED DECEMBER 31ST, 1862.

ARTICLE 1st. This district shall be known as John Day's District (mining), and shall hereafter be considered to contain all the territory embraced within the following bounds: beginning at a point on John Day's river on a straight line with the dividing ridge

lying on the west side of Cañon creek; thence following said ridge to dividing ridge separating the waters of the Malheur from those of John Day's; thence following said ridge in an easterly direction to the summit of the main ridge adjoining and east of Bissel creek; thence down said ridge to John Day's river; thence down said river to place of beginning.

ARTICLE 2nd. There shall be a recorder elected, who shall hold the office for one year from the date of his election, or until his successor be elected, whose duty it shall be to keep a record of all miners' meetings held in this district; to record all claims when requested by the claimants in a book to be kept for that purpose; and to call miners' meetings by posting notices in three public places in the district when seven or more miners of the district shall present him with a petition stating the object of the meeting; provided, that in the absence of the recorder the above named number of miners shall not be disqualified to call a meeting.

ARTICLE 3rd. All claims located in this district after the passage of these laws shall be of the following size, viz.: A creek claim shall be seventy-five feet running with the stream, and extending from highwater mark to highwater mark; A bank claim shall be seventy-five feet running with the stream, and extending back three hundred feet from creek claims; A tunneling or shafting claim shall be seventy-five feet front, extending to center of hill; A surface claim shall be one hundred feet by one hundred and fifty; A gulch claim shall be one hundred and fifty feet running with the gulch, and fifty feet in width on each side of channel.

ARTICLE 4th. No person or persons shall be allowed to hold more than two full claims within the bounds of this district by location; nor shall they consist of more than parcels of ground the sum of the area of which shall not exceed two full claims; provided, nothing in this article shall be so construed as to prevent miners from associating in companies to carry on mining operations—such companies holding no more than two claims to each member—one of which must be of one class of claims, and the other one of another class of claims.

ARTICLE 5th. That each gulch, bank, or surface claim shall be worked within five days after date of location if water can be obtained.

ARTICLE 6th. That each person or company holding tunneling or shafting claims, in order to hold the same shall be required to perform work to the amount of two days' work in each week. Work done on any part of a company claim secures the title to the whole of it.

ARTICLE 7th. All persons holding claims in Cañon creek are exempted from working the same until the 15th of June next.

ARTICLE 8th. All work done preparatory to working claims, such as procuring sluice boxes or other machinery, digging tail or drain races, or cutting ditches for the purpose of bringing water upon said claims, shall be considered as work done upon said claim or claims.

ARTICLE 9th. Any person or persons claiming more ground or claims than the laws of this district entitle them to forfeit all their right and title to any claim whatsoever, and any and all claims of such person or persons are hereby declared subject to relocation.

ARTICLE 10th. Any or all claims now located or that may be located and worked can be laid over at any time, not to exceed six months, by the person or persons holding the same appearing before the recorder of the district with two or more disinterested persons who shall certify over their own signatures that the said claim or claims cannot be worked to advantage, and by having the same recorded according to the law of the district, and by paying a fee of fifty cents each; provided that each claimant shall sign the record in person or by a legal representative, stating at same time that said claim is held by location or by purchase.

ARTICLE 11th. All persons may hold any number of claims by purchase, provided they are represented according to the provisions of the foregoing laws; provided, such claims shall be shown to be *bona fide* purchases.

ARTICLE 12th. Claims shall be forfeited when parties holding them shall have neglected to fulfill the requirements of the preceding articles, or have neglected working them for five days after water can be procured, unless prevented by sickness or other legal cause.

ARTICLE 13th. Any person or persons' bank, hill, gulch, or surface claims shall not be allowed to run their tailings upon river or creek claims to the injury of the parties while working said river or creek claims.

ARTICLE 14th. The holders of a claim or claims shall have the right to the same without any hindrance from later claimants. Subsequent locators shall not be allowed to dam up the water so as to turn it back on the prior claim, nor to run tailings, nor to erect any obstructions to the detriment of the prior claimants.

ARTICLE 15th. From and after this date parties owning claims in a creek, ravine, or gulch shall be entitled to cut a tail or drain race through any ground below them. Such tail race shall be cut through the lowest point in the center of said creek or gulch, and any or all dirt that comes out of the aforesaid race shall be deposited on the bank. Any objection, if such should [be] made, shall be left to the decision of four referees, and in case of disagreement they to choose an umpire.

ARTICLE 16th. It shall be the duty of the recorder to place on record all claims brought to him for that purpose when such claim shall not interfere with or affect the rights and interests of prior locators, recording the same in order of their date, for which service he shall receive the sum of fifty cents for each claim recorded, and fifty cents for recording transfers, bills of sale, [and] deeds of and to any mining property. It shall also be the duty of the recorder to keep his book open at all times to the inspection of the public. He shall have power to appoint a deputy to act in his stead, for whose official acts he shall be responsible.

ARTICLE 17th. The limits of this district shall not be changed without the consent of a regularly called mass meeting of the miners of this district.

ARTICLE 18th. No miners' meeting held outside of Cañon City for the purpose of making laws to govern any portion of the district, or to amend these laws in any manner, shall be considered as legal.

ARTICLE 19th. No Asiactic shall be allowed to mine in this district.

ARTICLE 20th. These laws may be altered or amended by a two-thirds' vote of those present owning claims in the district at any time ten days' notice shall have been given by posting notices in three public places in the district.

ARTICLE 21st. All mining laws of this district made previous to the foregoing are hereby repealed.

BAKER COUNTY.—BLUE CAÑON MINING DISTRICT.

TRANSCRIPT. MINING LAWS OF BLUE CAÑON MINING DISTRICT, BAKER COUNTY, OREGON.

ARTICLE 1. The boundaries on Blue Cañon District shall be as follows: commencing near the bank of the main Powder River, at the mouth of Elk Creek, and running thence in a direct line to the summit of the divide between Elk Creek and Blue Cañon; thence along said divide to the line of Union District; thence along said line to the line of the River District; thence down said line to the place of beginning.

ARTICLE 2. Any and all persons shall be eligible to hold claims in this district by complying with the by-laws, except the Chinese or Tartars, and all others of the Asiatic race.

ARTICLE 3. All persons hereafter locating claims shall not hold more than one hundred and fifty feet square, and in the creek or gulch claims the present center of the creek shall be the center of the claim.

ARTICLE 4. All persons locating claims shall set up a good, substantial post at the corner of each claim, and post a notice on each set of claims in a conspicuous place, describing in a plain and definite manner the metes and bounds of said claim, with the name of each party interested in the same.

ARTICLE 5. Each and every person shall be entitled to hold one claim by pre-emption, and there shall be no restriction in the number of claims held by purchase; provided such purchase is made in a legal and *bona fide* manner: and all transfers hereafter made shall be recorded in the recorder's books, and it shall be his duty to inquire into the validity of the sale before such record shall be made.

ARTICLE 6. All claims, whether held by purchase or pre-emption, shall be represented by one full day's work in every seven, unless prevented by physical inability to do so; provided a permanent sluice-head of water of thirty inches, with a pressure of three inches of water, can be had; and each and every absentee shall be allowed 10 days' grace to re-occupy his claim after water can be obtained.

ARTICLE 7. All persons who find it necessary to cut a tail race to their claims, shall have the privilege of cutting the same through any claim owned by other parties adjoining them.

ARTICLE 8. When two or more claims join together [and] are worked by companies, such companies can work any portion of such claims as they may deem expedient, and not forfeit the rest.

ARTICLE 9. Any person or persons taking water from its natural channel, shall when required leave a sufficient quantity to work the mines therein; provided said mines were discovered prior to the legal locating of such ditch, and the miners along said channel shall be the judges of the amount required.

ARTICLE 10. No person shall interpose any objection to having his claims measured by the recorder when other parties require.

ARTICLE 11. All claims not workable according to the provisions of article 6th of these by-laws shall be recorded and numbered, and a certificate of said record posted on such claim or set of claims.

ARTICLE 12. No notice of a miners' meeting shall be considered lawful unless signed by the recorder or his deputy, authorized by at least 12 miners, who shall sign their names to a request for such a meeting.

ARTICLE 13. All disputes arising in regard to mining shall be left to arbitration, each party to choose one disinterested man, and they to choose an umpire: the three shall then sit upon the case, and their decision shall be final, subject to an appeal to the court only.

ARTICLE 14. It shall be the duty of the recorder to keep a book of records, with the number of each claim recorded, from one to an unlimited number; and he shall go on to each claim when required, and record and number said claim so as to correspond with the number in his books. Said recorder shall be allowed one dollar for each claim that he records as a compensation for his services.

Passed July 21st, 1862.

I. H. ROORK, *Pres.*

I. N. CHAPMAN, *Sec.*

MINING LAWS PASSED AT A MINERS' MEETING HELD MAY 10TH, 1863.

1. *Resolved* that all mining claims in Blue Cañon District shall be held until the 1st of April, A. D. 1864 free from the necessity of working the same; and all laws to the contrary are hereby suspended in their action for the period herein mentioned.

2. *Resolved* that all claims which shall be laid over according to the first resolution of this meeting, shall be marked as laid by in the recorder's books, and that all claims not so marked shall be considered as abandoned.

3. *Resolved* that the recorder be allowed 50 cents for each claim laid by according to the provisions of the second resolution.

ELI STEWART, *Pres.*

E. C. BRAINARD, *Sec.*

RESOLUTIONS PASSED AT A MINERS' MEETING HELD SEPT. 14TH, 1864.

1. *Resolved* that the mining claims of Blue Cañon District be and the same are hereby laid over, and not required to be worked or represented until the 1st day of next May.

And inasmuch as there are a good many claims in Blue Cañon District that will not pay sufficient to justify the paying of 25 cents per inch for water, therefore be it further

Resolved that no claim shall be considered abandoned or forfeited or jumpable until water can be obtained to work the same as low as 12½ cents per inch.

On motion of Mr. Foster [it was resolved that the claims of persons wishing to lay the same by should be recorded.]

On motion of Dr. Gordon 50 cents was allowed the recorder for recording each claim.

The motion of Mr. Foster that these resolutions shall take effect from and after this date was carried.

On motion of Mr. Foster it was

Resolved that all laws conflicting with the resolutions of this meeting are hereby repealed and suspended in their action until the first day of May, A. D. 1865.

Meeting adjourned.

AUBURN, *Sept. 14th*, 1864.

A. C. LORING, *Pres.*

E. C. BRAINARD, *Sec.*

RESOLUTIONS ADOPTED AT A MINERS' MEETING OF BLUE CAÑON DISTRICT HELD FEBRUARY 15TH, 1865.

1. *Resolved by the miners of Blue Cañon District in miners' meeting assembled, the same being duly called by the recorder of the district*, that hereafter, as heretofore, each miner in said district shall be entitled to locate one gulch claim and one hill claim in the placer diggings of said district, and shall not be entitled to make a second location until the first shall have been worked out, or transferred by a *bona fide* sale, or abandoned.

Resolved further that to induce miners to prospect more thoroughly for placer mines in this district hill claims may be three hundred feet frontage, and extend back to the crest of the hill or high divide; provided they shall not cross any well defined gulch, or be so located as to run directly up a well defined point or ridge; and provided further that point claims may be two hundred and fifty (250) feet square.

Resolved further that hill claims heretofore located may be expanded in accordance with the preceding resolution by recording anew, or by continual work and occupation, as in other cases; provided the rights of third parties shall not be affected by such expansion.

Resolved that companies may locate in common, but such companies *must be actual* and not fictitious, and the members thereof actual residents of the district at the time of location. And no more ground can be located by any company than the individuals thereof would be entitled to locate in the aggregate; and when a company locate in common the name of each member of such company must appear on the notices of location.

R. BUNCH, *Pres.*

E. C. BRAINARD, *Sec.*

RESOLUTIONS ADOPTED AT A MINERS' MEETING OF BLUE CAÑON DISTRICT, FEBRUARY 22ND, 1865.

1. *Resolved by the miners of Blue Cañon Mining District, in Baker County, State of Oregon, in miners' meeting assembled*, that none but *actual miners* in Blue Cañon District shall be allowed to vote in this meeting upon the resolutions hereafter to be introduced for the government and regulation of mining claims.

2. *Resolved* that all persons hereafter locating and pre-empting a gulch or creek claim in Blue Cañon District shall be allowed to hold and mine such gulch or creek for the distance of one hundred and fifty feet up or down the channel or watercourse of such gulch or creek, and at right angles with such channel or watercourse, to the raise of the bedrock on each side of such creek or gulch.

3. *Resolved further* that gulch claims heretofore located may be expanded in accordance with the preceding resolutions when the rights of third parties will not be affected by such expansion.

4. *Resolved* that any miners allowed by existing laws of this district to hold and work mining claims shall have the privilege of cutting a tail race (when necessary for the advantageous working of his [their] claims) through any other persons' claims, and shall be allowed to place sluices or boxes in such race, and to clean up the same at pleasure; provided in the construction of such race the person cutting the same shall not appropriate to his own use any of the gold that may be taken from such race; provided further, that no tail race constructed under the provisions of this resolution shall deprive parties below from the use of the natural water in any gulch or creek; provided further, that this shall not be construed to confer a right to dump upon any claim to the detriment of the owner.

5. *Resolved* that all mining claims situated in Blue Cañon Mining District, Baker County, Oregon, be and the same are laid over and held without representation by labor or otherwise from the 15th day of October in each year until the 1st day of April in the succeeding year.

6. *Resolved* that all local mining laws of Blue Cañon District that conflict with the resolutions adopted at this meeting be and the same are hereby repealed.

7. *Resolved* that the foregoing resolutions adopted separately by this meeting be adopted as a whole.

Upon motion the chair appointed Mr. Wm. Corcoran as a committee of one to copy all mining laws of Blue Cañon District and post the same in the county clerk's office, for the convenience and inspection of all interested.

D. D. MYERS, *Pres.*

Attest

WM. C. WILLS, *Sec.*

NOTE.—The foregoing is a transcript of a roll now of record in the office of the county clerk of Baker County. Attached to it, and in a different handwriting, the following additional resolutions appear.

Resolved that the size of river claims in Blue Cañon Mining District shall be 300 feet in length, and extending to the raise of the bedrock on each side of the river.

The boundaries of Blue Cañon Mining District shall be as follows: commencing at the mouth of Elk Creek, and running thence in a direct line to the summit of the divide between Elk Creek and Blue Cañon; thence along said divide to the line of Union District; thence along said line to Powder River; thence across said river to the second rim on south side of Powder River, running thence down the river to a point opposite the mouth of Elk Creek; thence across the river to the place of beginning.

NOTE.—It appears from a copy of the minutes of the meeting of February 22nd, 1865, preserved in the county clerk's office, that in addition to the adoption of the resolutions transcribed from the roll already mentioned a committee of three was appointed "to inquire of the owners of claims in said gulch how much ground they will give as a bonus to encourage the enterprise [the construction of a bedrock flume or bedrock tail race to drain the mining ground of Blue Cañon, &c.], and also to draft resolutions touching that subject; said resolutions to be reported at next meeting".

It appears further that the meeting then adjourned to meet again Saturday evening, February 25th, 1865.

Attested by Wm. C. Wills, Secretary.

It seems that a meeting was held on the 25th, and the following is supposed to be a copy of the minutes:

Pursuant to adjournment miners met on the evening of February [no more definite date]. Foster Johnson was nominated for chairman—E. C. Brainard clerk. Committee upon the Blue Cañon bedrock [flume] reported. Report accepted. 1st resolution read on motion was adopted. 2nd resolution read, and after discussion adopted. 3rd resolution read and adopted. 4th resolution read and adopted. The words "1st day of November" were inserted in resolution 3rd. 5th resolution read and adopted; also time extended to 45 days. Resolution that these resolutions be published at Mr. Littlefield's expense in all the papers of the States of Oregon and California.

The following is a copy of the report of the committee:

MR. CHAIRMAN.

SIR: Your committee appointed to report upon the subject of a flume in Blue Cañon have had the same under consideration and beg leave to make the following report.

Your committee find on inquiry among the claim-holders in said gulch that they are willing to grant a right of way through their claims and right to mine the same, varying from ten to twenty-five feet wide in each claim.

Your committee further report that in their opinion there will be little or no difficulty in effecting arrangements with the individual

claim-holders touching the right of way by any company that will give reasonable assurance of the prosecution of the enterprise to a final completion at an early day.

Further, your committee report a series of resolutions as a substitute for the resolution referred to the committee.

(Signed) WM. CORCORAN, *Chairman.*

The following are the resolutions submitted.

1. *Resolved* that the construction of a bed-rock flume in Blue Cañon Gulch of sufficient capacity through which to work the mining ground in said gulch and adjacent thereto, is of the utmost importance to the mining interest to this camp, and to that end (the construction of said flume) the miner, the merchant, and every person interested in the property of the camp, should unite in forwarding said enterprise. Therefore be it further

2. *Resolved* that, to encourage said enterprise and for the benefit of those who shall undertake and prosecute the said enterprise to completion, a reseration thirty feet wide through the unappropriated mining ground in said gulch be and the same is hereby exempted from location, and that all locations hereafter made for mining purposes in the channel of said gulch shall be subject to said reservation; provided that said reservation shall be deemed to extend to the mining interest in said mining ground so reserved.

3. *Resolved, further*, that said reserved ground shall be subject to location by any person or company of persons or corporation who shall undertake and prosecute to completion up to the junction of French Gulch with Blue Cañon Gulch by or before the [1st] day of [November], A. D. 1865, a bed-rock flume of sufficient size and capacity through which to work the mining ground in said gulch and adjacent thereto.

4. *Resolved, further*, that any person or persons, or company of persons, or corporation desiring to avail themselves of the foregoing reservation, shall file their notice of claim thereto with the clerk of the county, and within thirty [extended to forty-five] days thereafter shall begin the said work and diligently prosecute the same to completion as heretofore required, or lose all rights under said notice; provided that such person or persons, company or corporation shall not be entitled to any mining ground under and by virtue of these resolutions below the point where said flume shall strike the bed rock of said gulch.

5. *Resolved, further*, that as E. M. White & Company have already taken steps to secure a right of way in said gulch for the purposes of a flume, they shall be deemed to have notified within the meaning of these resolutions, and shall have thirty days from their passage to begin their operations.

NOTE.—No minutes of any meeting held between February 25th, 1865, and April 22nd, 1874, can be found.

SPECIAL RESOLUTIONS ADOPTED AT A SPECIAL MINERS' MEETING OF BLUE CAÑON MINING DISTRICT, HELD AT SCOFIELD'S STORE, AT AUBURN, ON THE 22ND DAY OF APRIL, A. D. 1874.

Whereas Daniel Best and others, known as the Marysville Mining Company, by Daniel Best as agent and superintendent, propose to construct a bed-rock flume in Blue Cañon, provided the miners of said Blue Cañon Mining District will make a special law (and properly file with other laws of said district), granting him and his company the right to locate one hundred and sixty acres of mining ground on Blue Cañon Flat under the U. S. mining laws passed May 10th, A. D. 1872; therefore be it resolved by the miners of Blue Cañon Mining District at a special meeting assembled, the same having been called by a special request of the miners of said Blue Cañon Mining District, that we do hereby grant said Daniel Best and others the right to locate one hundred and sixty acres of mining ground in Blue Cañon Flat under the U. S. mining laws passed May 10th, A. D. 1872.

And whereas Charles Rowes has failed to construct a bed-rock flume in reasonable time, we hereby declare his right forfeited, and grant the right of way to said Dan'l Best and others.

We grant the above believing that said bed-rock flume in Blue Canon will promote the mining interests of this camp.

Resolved that all laws and resolutions now in force in Blue Cañon Mining District inconsistent with the foregoing resolutions be and the same are hereby repealed—to apply only to this said 160 acres of D. Best & others.

(Signed) D. S. Littlefield, J. Evooe, John Jones, W. Graham, J. A. Jones, T. Graham, P. Farrell, J. W. Mullin, L. Rivers, Charles Duckworth, Thomas Jones, John M. Frost, Wm. Morris, John Thompson, P. Connor.

At a meeting of the miners of Blue Cañon Mining District at Scofield's store, in accordance with a call of miners made by public notice of twelve days, for the purpose of granting to Daniel Best and others special rights and privileges for putting a bed-rock flume in Blue Cañon, the following proceedings were had.

George Driggs was elected chairman.

Considered that D. B. Scofield, the local recorder, act as secretary.

A motion that the resolutions read at a previous special meeting on the 22nd of April, 1874, be read was carried.

The resolutions were read.

The motion was made and seconded that the resolutions signed at the special meeting of the miners at Scofield's store April 22nd, 1874, be approved, ratified, and adopted—was carried by a unanimous vote.

The motion was made and seconded that the flume co. shall expend at least a thousand dollars on the flume work each year until finished, or the work shall be considered abandoned.

By vote the motion was carried.

Motion was made and carried that the meeting adjourn.

Dated May 4th, 1874, at Auburn, Baker Co., Oregon.

(Signed) GEO. R. DRIGGS.
" D. B. SCOFIELD, *Dist. Recorder.*

BAKER COUNTY.—PIONEER MINING DISTRICT.

TRANSCRIPT. MINING LAWS OF PIONEER DISTRICT.

Know all men by these presents that we, the miners [of] this district, pursuant to a call made Sept. 21, 1862, met on Burnt River Oct. 5th, 1862, for the purpose of making laws for to govern this district.

On motion of Mr. Freeman Mr. Iba was nominated chairman and unanimously elected.

On motion of Mr. Smith Mr. Jordan was chosen secretary.

Mr. Iba called the house to order, and the following resolutions were adopted.

ARTICLE 1. *Resolved* that the boundaries of this district be as follows: commencing at the mouth of the Big Cañon on Burnt River, and run [running] up said river to the mouth of the next cañon above, embracing about twenty-four miles from east to west; the boundaries on the north to be the summit or dividing ridge between Burnt River and Powder River, and on the south to be the dividing ridge between Burnt River and Birch Creek.

ARTICLE 2. *Resolved* that this district be called Pioneer District.

ARTICLE 3. *Resolved* that each person be entitled to hold one river claim, one hill claim, one creek claim, one gulch claim, one quartz claim, by location, and as many by purchase as he may represent according to the laws of the district.

ARTICLE 4. Any person or persons discovering new diggings shall be entitled to one claim for discovery.

ARTICLE 5. Each river claim shall be two hundred feet in length, and running from hill to hill on either side.

ARTICLE 6. Each creek claim to be the same size of river claims.

ARTICLE 7. Each gulch claim to be two hundred feet in length, and one hundred and fifty feet wide.

ARTICLE 8. Each hill claim to be two hundred feet front, and running back to the center of the hill or summit of the mountain.

ARTICLE 9. Each quartz claim shall be two hundred feet in length, and embracing all its dips, spurs, and angles, and water emanating from the same.

ARTICLE 10. *Resolved* that all river claims be laid over and not jumpable until the 15th of July next, 1863.

ARTICLE 11. *Resolved* that all other claims be laid over until the first of June, 1863.

CLARK'S CREEK, *July 22nd*, 1863.

Know all men by these presents that we, the miners of Pioneer District, pursuant to a call made July 22nd, 1863, met at the store of Frank Koontz for the purpose of making laws to lay over claims, &c.

On motion of Mr. Edgerton Mr. Wheeler was chosen chairman.

On motion of Mr. Stuttsman Mr. Edgerton was chosen secretary.

On motion of Killingsworth Clark's District was thrown into Pioneer District, and together called Pioneer District.

On motion of Mr. Killingsworth the meeting approved and adopted the old laws of Pioneer District.

1st. *Resolved* that each gulch and hill claim be laid over until the first of May next, and river claims until the first of July, 1864.

2nd. *Resolved* that Frank Koontz be recorder, and that he receive one dollar for recording each claim.

3rd. *Resolved* that unfinished ditches may be laid over until first of May, 1864.

Resolved that this meeting adjourn *sine die*.

CLARK'S CREEK, *May 21st*, 1864.

Miners of Pioneer District met pursuant to notice previously given.

W. H. Lamar, president, J. W. Virtue, secretary.

The following articles were unanimously adopted as additional laws governing this district.

1. It shall be required that all claims be worked one full day in three when water can be procured.

2. It shall be the duty of the recorder to go unto each claim recorded, and post at either end of such claim a stake and mound, with no. distinctly marked thereon, corresponding with no. on book of record, for which service he shall be entitled to the sum of one dollar from the party locating the same for each claim.

3. All claims heretofore located shall be staked and numbered according to section 2nd within thirty days from this date.

4. That hereafter all transfers made of claims shall be placed on the records of said district, for which the sum of 50 cents shall be paid by the party making such transfer.

5. All claims shall be laid over unless there can be 30 inches of water or the same of ditch water obtained to work such claims. All claims must be worked within eight days after water can be obtained.

On motion B. F. Koontz was elected recorder for the term of one year and until his successor is elected and qualified.

On motion adjourned *sine die*.

W. H. LAMAR, *Pres.*

J. W. VIRTUE, *Sec.*

I hereby certify that the above is a true copy of the laws of Pioneer District, Baker County, Oregon, on file and in my custody.

Given under my hand this 15th day Feb., 1872.

(Signed) W. R. CURTIS,
Deputy Recorder of Pioneer District.

Filed Feb. 22nd, A. D. 1872.

(Signed) LUTHER B. ISON,
Clerk [of Baker County].

GRANT COUNTY.—ROCK CREEK MINING DISTRICT.

TRANSCRIPT. LAWS OF ROCK CREEK MINING DISTRICT, GRANT COUNTY, OREGON.

At a meeting of the miners of Rock creek mining district March 10th, 1865, Hugh Kennedy was called to the chair, and J. M. McCoy appointed secretary, when upon motion the following articles were adopted as the local laws to govern the mining interest in said district, to wit:

ARTICLE 1. This district shall be known as Rock Creek District, and shall embrace all the mineral land running parallel with Rock creek from its source to its junction with John Day river, and to a distance of four (4) miles each side of said Rock creek.

ARTICLE 2. All creek claims for mining purposes shall be three hundred feet in extent along the course of the creek, and from bank to bank on each side.

ARTICLE 3. All gulch claims shall be six hundred feet up and down the gulch, and from the center of the gulch each way to where the bed-rock rises to the height of fifteen feet.

ARTICLE 4. All hill or bank claims shall be four hundred feet face, and extend back to the center of the hill.

ARTICLE 5. No person shall be allowed to hold more than one creek, one gulch, and one hill or bank claim, by location, but any person shall be permitted to hold as many by purchase as he or they may desire, they representing said claims as by these laws required.

ARTICLE 6. All claims shall be designated by a stake at each end, but when on a flat or in a hill, by a stake at each corner, and a copy of the notice of location forwarded to the county clerk, to be placed on record as required by statute law.

ARTICLE 7. All claims may be laid over when water cannot be obtained for working the same for any length of time not to exceed six months, at the expiration of which time, should the claimant still be unable to obtain water, he shall certify the fact to the county clerk, who shall note the same upon his book of records, when the claim shall be considered laid over for a term not exceeding six months.

ARTICLE 8. All persons shall be required to transmit a copy of notice of location of claim to the county clerk for record within thirty days after making such location; and, furthermore, every person holding any claims in this district shall be required to perform at least one day's work in each week when water can be had, provided said claims are in all other respects considered workable by the miners in this district; provided further, that when two or more persons have located or purchased claims together and work jointly as a company, work done upon any one of such company's claims shall be sufficient for the holding of all their claims.

ARTICLE 9. All work done preparatory to washing—such as digging ditch, making sluices, getting out timbers, building cabin, going after material necessary to be had for the successful prosecution of work upon a claim—shall be considered as work done upon the claim, and sufficient for making the claimant's title good.

ARTICLE 10. All claims may be laid over from the 1st day of November of each year until the 1st day of May of the succeeding year, at the pleasure of the claimant.

ARTICLE 11. All persons owning creek or gulch claims shall have the privilege of a drain through adjoining claims, but shall be required to deposit the dirt, if considered pay dirt, necessary to be removed in constructing such drain on the claim from which the same may be taken, or adjacent thereto; provided, that, should the person or persons constructing such drain desire to do so by means of sluicing, they shall not be required to furnish sluices and gather the gold unless by specific contract between the parties interested.

ARTICLE 12. Any person or persons owning a bank or hill claim and working the same shall be entitled to hold one adjoining claim for the purpose of dumping upon; provided such ground shall not have been previously claimed by other parties for mining purposes.

ARTICLE 13. No Mongolian shall be allowed to hold any claim in this district for mining purposes by location or pre-emption.

(Signed) HUGH KENNEDY, *Chairman.*
" J. M. McCOY, *Secretary.*

MINERS' MEETING, *June 26th*, 1869.

At a meeting of the miners of Rock creek mining district held June 26th, 1869, at the house of C. N. Thornberry on Spanish Gulch, J. L. Haguewood was appointed chairman, and J. M. McCoy secretary of the meeting.

Upon motion the local laws of the district were read by the secretary. After due consideration it was resolved that the laws of the district as established March 10th, 1865, be re-affirmed and recognized as the laws governing the mining interests of said district.

Upon motion a committee consisting of C. N. Thornberry, E. B. Allen, and J. W. McCoy was appointed to locate and lay out a town-site.

The statute laws relating to mines and mining interests were read by request, when upon motion the meeting adjourned.

(Signed) J. L. HAGUEWOOD, *Chairman.*
" J. M. McCOY, *Secretary.*

BAKER COUNTY.—SHASTA CREEK MINING DISTRICT.

TRANSCRIPT OF LAWS.

This district shall be known as the Shasta Creek District and bounded as follows: on the north by the dividing ridge between Burnt river and Willow creek; on the eastward the Easton district; on the south by Willow creek; and on the west by Alder creek.

ARTICLE 1st. Creek claims shall be those through which natural water runs, and shall be two hundred feet in length, and extend in width seventy-five feet on each side from center of creek.

ARTICLE 2nd. Gulch claims shall be three hundred feet in length, and extend in width fifty feet on each side from center of gulch.

ARTICLE 3rd. Flat claims shall be level ground, and commence where creek or gulch claims end, and shall be two hundred feet square.

ARTICLE 4th. Hill claims shall be two hundred feet front, and extend in a straight line back to the summit of the hill.

ARTICLE 5th. Any person may hold by location one creek claim, one gulch claim, one flat claim, one hill claim, and one quartz claim, in conformity with the laws of the State, and by purchase any number of claims; provided such claims are represented according to the laws hereinafter specified.

ARTICLE 6th. There shall be a recorder nominated for this district, whose duty shall be to measure, stake off, and to record all claims, bills of sale, and transfers, and who shall keep a book of record open to public inspection, and who shall receive one and a-half dollars for each claim of location he shall so record, and one and a-half dollars for each transfer or bill of sale.

ARTICLE 7th. Any person may hold claims as specified for fifteen days by posting written notice on the boundaries of said claims; but at the expiration of this time said claims must be recorded or represented by labor, or shall be deemed forfeited.

ARTICLE 8th. Any person may hold claims by recording them from the date of record until the 1st day of April, 1867, at which time such claims must be represented by labor one day in seven, except in case of sickness of the holder, until such time as water fails. Thirty inches shall be considered a sufficient amount of water to properly work claims, and any claims not having thirty inches of water shall not be considered workable.

ARTICLE 9th. Disputes regarding mining claims may be settled by a miners' meeting or by arbitration, in which case [the first] it shall be the duty of the recorder to post notices in the district and give six days' notice. At least eight miners shall be required to sign such notice of meeting.

ARTICLE 10th. Where any person or company holds more than one claim adjoining, work done on one claim shall be sufficient to represent all.

ARTICLE 11th. In order to amend or alter any or all of these articles it shall be necessary for twenty-five miners resident in the district to sign notice for a meeting to consider such alteration or amendment.

Resolved, That the recorder write out two copies of these articles—one copy to [be] posted in a conspicuous place in the district, and one copy sent to the county clerk of this County.

ROBERT KITCHEN, *Chairman.*

ALEX. K. MOORE, *Secretary.*

SHASTA DISTRICT, *24th Sept.*, 1866.

(Signed) A. BOLLETT, *Recorder.*

The following is a transcript of the local laws of this district as finally amended and adopted January 23rd, 1869. There is no record of any later meeting.

MINING LAWS OF SHASTA DISTRICT INTRODUCED AND ADOPTED SATURDAY EVENING, JANUARY 23RD, 1869—HELD AT DELANEY & BARNES' SALOON.

Resolved: (ARTICLES 1, 2, 3, 4, 5, and 6 remain unchanged.)

ARTICLE 7. Any person or company may hold claims for seven days by posting a notice on the boundaries of said claims for seven days, and a copy be handed to the recorder to hold for record until the expiration of the said seven days, or daily labor be done on said claims, Sundays excepted.

ARTICLE 8. That all claims shall be represented October the 1st and 8th day of April following after said time. Claims not having water need not be represented until water can be had to work said claims in accordance with article 9th.

ARTICLE 9. All claims shall be represented one day in seven by one day's labor for each and every claim when thirty inches of water can be had by purchase or otherwise, except deep diggings—such as Shasta creek, Rich creek, and Cottonwood creek: seventy-five inches of water shall be considered sufficient to work said claims.

ARTICLE 10. Any labor done for the purpose of working mining claims, such as digging or cleaning out ditches, cutting tail races, or building hydraulics, or any other labor for any particular piece of mining ground, shall be considered as representation of said ground.

ARTICLE 11. Where any company holds more than one claim adjoining, all classes of claims to be included (in this), labor done on one claim shall be sufficient to represent all.

ARTICLE 12. Creek claims, gulch claims, and flat claims shall have the right of a drain or tail race through the adjoining claims below, but shall fork all heavy tailings or headings on their own ground.

ARTICLE 13. That it will be the duty of each company of miners to set a stake at the end of their claims, and also to dig a small ditch on a line with their stakes, and that the same shall be done between the 1st and 9th days of April following.

ARTICLE 14. No claim shall be recorded in this district except by claimant in person.

ARTICLE 15. Hill claims have not the right to dump on to gulch, flat, or creek ground.

ARTICLE 16. In order to alter or amend any or all of these articles it shall be necessary for fifty resident miners in this district to sign a notice for a meeting to consider such alterations.

ARTICLE 17. All laws heretofore existing in this district are hereby repealed, and the above laws to take effect from and after their passage.

Resolved, That we, the miners of this district, in public meeting assembled, do hereby bind ourselves to a strict fulfillment of the above laws, and any person or company holding claims in this district in violation of the above laws and its provisions shall be deemed forfeited.

Resolved, That it shall be the duty of the recorder of this district to send a copy of these laws to the Grande Ronde Sentinel for publication, and to post three copies of the above laws in conspicuous places in the district.

A. BOLETT, *Chairman*,

JNO. J. GRAHAM, *Secretary.*

(Signed)

E. H. RICHARDSON, *Dep. Recorder.*

SHASTA MINING DIST., *Jan'y 23rd*, 1869.

BAKER COUNTY.—DIXIE CREEK MINING DISTRICT.

TRANSCRIPT. LAWS OF MAIN DIXIE CREEK MINING DISTRICT, ENACTED JUNE 5TH, 1868.

At a meeting of the miners and claim-holders, after due notice to claim-holders of upper Dixie Creek, Baker County, Oregon, held at the claims of Blanchard and Company, the following proceedings were had, the assembly being composed of the following persons among others: John Williams, Owens, John Barrett, J. Belheimer, C. Leguus, Charles Clark, Francis Drake, D. Granchamp, J. B. Altezard, L. Monique, W. Charette, A. La Mereux, L. H. Blanchard, Louis Voli, J. Edwards, locators and owners of placer mining claims on upper main Dixie Creek.

On motion Louis Voli was elected president, and Justus Edwards was elected secretary, when the following laws were enacted.

Whereas the Congress of the United States provides that miners may make local laws regulating the location, possession, and working of mining claims in the district; and whereas the statutes of the State of Oregon provide that miners may make local laws in relation to the possession of water rights and working of placer claims, Therefore be it enacted by the assembly of miners and claim owners of upper main Dixie Creek:

SEC. 1. That a district be made, to be known as main Dixie Creek District, for the creek placer claims therein, and for the gulch claims above, and ditches on said creek, and that said district be bounded as follows, to wit: commencing at a certain canyon about 500 yards, more or less, below the head of a certain ditch known as the lower ditch, and extending up said creek to the main divide above the source thereof, 10 miles more or less; thence descending on each side thereof—of said creek—along the divide, around the heads of the gulches emptying into said creek, back to the place of beginning.

SEC. 2. That any person or persons entitled by the laws of the United States and this State to hold mining claims shall be entitled to one claim each by location, and not exceeding two by purchase, of 200 feet each along the creek, and from rim rock to rim rock each side thereof, and a like number of gulch claims above all ditches, 200 feet long and from bank to bank in width.

SEC. 3. The boundary of claims shall be marked by a stake, mound, tree, or rocks at the head of each claim, with a notice thereon with name or names of claimants attached.

SEC. 4. That from April to December of every year, every claim when in workable order and water can be had shall be worked unless prevented by sickness or other good cause, or the same will be considered as abandoned and forfeited, provided that all work can be done on one claim, and the same shall represent two or more claims owned by same person or company, and claim-holders shall have ——— days after locating to commence work.

SEC. 5. That creek claim owners shall be entitled to a sufficient quantity of the natural waters of the creek channel flowing over their creek claims at the time the same was taken to work the same, and shall use the same in a workmanlike manner, with slum dams to settle the water, and shovel or dump tailings out of creek or dam so as to prevent injury to others claiming below as much as possible by using the water for mining purposes.

SEC. 6. That in the location and claim of water rights the use of a ditch constructed is the measure of appropriation and right of claimant to the common of natural waters of Dixie Creek, and that right commences at the head of the ditch, where it takes the natural stream.

SEC. 7. That there shall be a recorder elected, who shall record all claims, notices, and water rights within 30 days after filing, and return said record every month to the county clerk of Baker County. He shall keep a copy of these laws subject to inspection of the public at reasonable hours, and all persons holding claims in this district, or water rights, shall record them in 30 days.

SEC. 8. These laws shall take effect and be in force from and after June 5th, 1868.

LOUIS VOLI, *President.*

(Signed) JUSTUS EDWARDS, *Secretary.*

On motion of Louis Voli L. H. Blanchard was put in nomination for recorder of main Dixie Creek District, and upon a vote being taken was elected unanimously.

LOUIS VOLI. *President,*

(Signed) JUSTUS EDWARDS, *Secretary.*

Filed June 8th, 1868, at 1 o'clock P. M

(Signed) JOSEPH H. SHINN, *Clerk* [*of Baker County,*].

BAKER COUNTY.—PINE CREEK MINING DISTRICT.

TRANSCRIPT. PINE CREEK MINING DISTRICT LAWS.

Minutes of Miners' Meeting.

The resident miners of Pine Creek in North Burnt River Basin, in the County of Baker and State of Oregon, assembled in meeting at Jackass Point, on the aforesaid creek, on Monday, August 3rd, A. D. 1868, for the purpose of enacting laws and rules for the regulation of the mining interests within the limits hereinafter specified.

Organized by temporarily appointing E. D. Boone chairman, and George Tykle secretary of the meeting.

Whereupon the chairman announced the meeting fully organized, and in readiness to proceed with the business under consideration.

When the secretary presented for consideration a draft of the following code of laws hereunto annexed.

On motion of W. W. Jones the aforesaid code of laws was received, and on being read by the secretary was on motion of Ferdinand Bowman submitted to a vote of the meeting, which resulted in their unanimous adoption as follows, to wit:

ARTICLE 1ST.

SEC. 1st. The title of this mining district shall be known as the Pine Creek District.

BOUNDARY LIMITS.

SEC. 2nd. The limits of this district shall commence on North Burnt River, near the head of the rapids in the cañon at the lower extremity of the mountain spur intersecting said North Burnt River on its right bank, extending up the crest of said mountain spur or ridge to the summit of the divide separating the waters of the former from John Day's River; thence along the crest of said mountain in a northwesterly direction to the intersection of a diverging spur adjacent to west and source of Jones's Creek; thence down said spur in a northerly [or] northeasterly course, an recrossing North Burnt River at the mouth of Bennet's Creek; thence up the point of dividing ridge between the former and Lost Horse Creek, having its ——— in North Burnt River and the waters flowing into Camp Creek, to a certain point on the mountain summit at the head of Craven's Creek; thence northward down the crest of the ridge terminating on

Camp Creek opposite the mouth of Red Rock Gulch; thence up said gulch to its source, and continuing in a northwesterly (?) course up the divide to the summit of the mountain bordering on Bull Run; thence eastward along the crest of mountain to a diverging ridge separating the waters of Clear from Pine Creek; thence down the crest of said ridge to the confluence of Clear with Pine Creek; thence down the left bank of the latter and North Burnt River to the point of beginning.

ARTICLE 2ND. OF CLAIMS—DESCRIPTION.

SEC. 1st. River, creek, and gulch claims may be 300 feet in length, and extend across from rim to rim-rock.

SEC. 2nd. Bar claims to face 300 feet in front, and extend back to the pitch of the hill.

SEC. 3rd. Flat claims shall be 300 feet square if practicable, otherwise to be in compact form any other shape, and may embrace an equivalent amount of surface.

SEC. 4th. Hill claims may be 300 feet in length at the base, and run back to the summit (provided not exceeding 300 feet).

ARTICLE 3RD. RIGHTS OF LOCATION.

SEC. 1st. Any person over the age of 16 years may hold by location one of each of the foregoing species of claims in each and every distinct locality, and any unlimited number by purchase, excepting Chinamen shall be restricted to purchased claims.

SEC. 2nd. Discoverers of any new diggings, either singly or in companies, are entitled to hold an additional claim in virtue of such discovery in every distinct locality, and [the same] shall be designated as a discovery claim.

SEC. 3rd. Claims shall be deemed in working condition when a sufficient amount of water flows over the same.

SEC. 4th. All workable claims must be represented by one day's labor in every two weeks, either singly or in companies, upon any one of their own selection.

SEC. 5th. Unworkable claims may be laid over until such disability ceases to exist, by filing a notice thereof with the district recorder for record descriptive of locality and boundary limits.

SEC. 6th. The recorder shall upon tender of lawful fees proceed at his earliest convenience to the described premises, measure off and establish the boundaries thereof, and post in a conspicuous manner adjacent thereto his certificate of record.

SEC. 7th. A sufficiency of water shall consist of, in Burnt River, 200 inches, Pine and Camp Creeks, 50 inches above their junction, and 75 inches below—all other creeks and gulches, 36 inches.

SEC. 8th. Original locations of claims described by notice and accompanied by contributions of labor, shall hold for two weeks in virtue of priority against all adverse claimants.

SEC. 9th. All transfers of claims shall be entered upon the district records, exhibiting the names of the negotiating parties, within one month thereafter.

ARTICLE 4TH.

SEC. 1st. A majority of the resident miners holding claims within these limits shall be required to constitute a quorum for the transaction of business relating to the mining interests of this district.

SEC. 2nd. A majority of those assembled in meeting in due form, as prescribed by law and foregoing section, shall be empowered to ratify amendments, and effect any alterations in existing laws; provided such legislation does in no manner conflict with Federal or State laws, or infringe upon the rights of persons having availed themselves of prior established privileges, without the voluntary relinquishment of those rights by the parties affected thereby.

ARTICLE 5TH. FOR CONVENING LEGISLATIVE MEETINGS.

SEC. 1st. By a written petition of six or more resident miners calling for such a meeting the district recorder shall cause to be posted in each habitable mining camp a notice of such meeting at least 10 days prior thereto, stating the time and place thereof, and the object for which said meeting is to convene, which shall be a limit to its action.

SEC. 2nd. It shall be the duty of the district recorder to preside and officiate as clerk of the miners' meetings.

ARTICLE 6TH. OF JUDICIAL MEETINGS.

SEC. 1st. Any parties feeling aggrieved through an alleged infringement of their rights may present an oral or written statement of the nature of their complaint, and demand a miners' meeting within the immediate camp wherein the cause of action exists before the district recorder, who thereupon shall summon the defendant in litigation to appear and answer the complaint.

SEC. 2nd. Any number of miners the litigants may agree upon to sit as jurors in the pending issue shall be forthwith summoned to convene at some convenient place of meeting to try the cause of action upon its merits, according to law and evidence adduced on trial.

SEC. 3rd. Upon the rendition of judgment the recorder shall enforce the same, and be empowered to summon assistance.

ARTICLE 7TH.

SEC. 1st. All mining claims previously located and laid over by the recorder of any adjacent district in a lawful manner prior to the promulgation of these laws shall be respected and deemed valid in virtue of priority.

ARTICLE 8TH.

SEC. 1st. That upon application of interested parties the district recorder shall furnish a certified copy of these laws to each distinct and separate mining camp within this district.

ARTICLE 9TH.

SEC. 1st. There shall be held an annual election on the first Monday in August of each succeeding year and elect a recorder [and a recorder elected], whose term of office shall be one year, or until his successor is elected.

SEC. 2nd. The district recorder may appoint a deputy during his absence from the district, or additional ones for each separate mining camp.

SPECIAL PROCEEDINGS.

Upon motion of W. W. Jones, George A. Tykle was put in nomination for recorder to serve the ensuing term, whereupon the vote of the meeting being taken the chairman announced the result of Geo. A. Tykle having been duly elected recorder for Pine Creek Mining District for the ensuing term of one year.

Resolved that the secretary write out copies of the proceedings in duplicate, including the laws enacted thereunder, in convenient form, and file one copy in the records of Baker County, State of Oregon, and retain another in the district.

Adopted and ratified the foregoing laws and proceedings in meeting assembled this Aug. 3rd, 1868.

E. D. BOONE, *Chairman.*

GEO. A. TYKLE, *Secretary.*

Filed for record August 19th, A. D. 1868.

JOSEPH H. SHINN, *Clerk [of Baker County].*

BAKER COUNTY.—WEBFOOT BASIN MINING DISTRICT.

TRANSCRIPT. MINING LAWS OF WEBFOOT BASIN DISTRICT.

This district shall be known as the Webfoot Basin District—bounded as follows: on the north by Powder River; on the south by the summit of the Mountain; on the east by Sticer's Gulch; on the west by Canyon Creek.

ARTICLE 1. Creek claims shall be those through which six inches of natural water runs. Two hundred feet in length, and in width from rim rock to rim rock.

ARTICLE 2. Gulch claims shall be those that are considered as tributaries or heads of the creeks. Three hundred feet in length, and in width from rim rock to rim rock.

ARTICLE 3. Flat claims shall be level ground, and commence where creek and gulch claims end, and [be] two hundred feet square.

ARTICLE 4. Hill claims shall be two hundred feet front, and extend back to the summit of the hill.

ARTICLE 5. There shall be nominated by this district a recorder, whose duty it shall be to measure, stake off, and record all claims, transfers, and bills of sale, and who shall keep a book of records open to the public inspection, and who shall receive one and one-half dollars for each and every transfer, notice of location, and bill of sale, as fees.

ARTICLE 6. Persons may hold by location one creek claim, one gulch claim, one flat claim, and one hill claim, and an unlimited number of claims by purchase, provided said purchase is *bona fide.*

ARTICLE 7. Persons having claims of any kind adjoining—work done on one shall be deemed sufficient to represent all. Notices of locations set up on the ground shall hold for ten days. Then the original notice of location, or copy, must be filed and recorded by the local recorder, or the ground forfeited.

ARTICLE 8. Claims must be represented one day in seven by labor done on the same, [or shall] otherwise [be] forfeited. Forty inches of water shall be deemed sufficient to work said claims. No claims will be considered forfeited for want of labor done unless there is forty inches of water, natural or otherwise, running over said claims.

ARTICLE 9. The above laws are subject to amendments by the consent of two-thirds of all the resident miners of this district.

Laws adopted August the 24th, 1868.

(Signed) THOMAS PORTER, *Chairman.*

" JOHN F. CHORD (?) *Secretary.*

V. J. Roberts nominated and elected local recorder.

(Signed) THOMAS W. PORTER

" J. F. CHORD (?)

" CHARLES BLACKLEE

" H. B. PORTER

" V. J. ROBERTS

Filed August 29th, 1868.

(Signed) JOSEPH H. SHINN, *Clerk [of Baker County].*

BAKER COUNTY.—SPRING GULCH MINING DISTRICT.

TRANSCRIPT. SPRING GULCH DISTRICT.

At a meeting held at the camp of Jas. Richardson & Co. Feb. 15th, 1869, for the purpose of making mining laws to govern themselves in a new mining camp, the following laws were passed.

H. C. Furman was elected president, and R. H. Haines was elected secretary.

On motion of Jas. Richardson it was resolved that Cow Creek and its tributaries be and hereby are made a district, and called Spring Gulch District.

ARTICLE 1. Each miner shall be entitled to one creek claim, one gulch claim, one hill claim, and one bar claim, by location. The creek and gulch claims shall consist of 300 feet in length, and [extend] from rim rock to rim rock on the sides. Hill claims shall consist of 200 feet front, extending back 300 feet. Each bar claim shall consist of 200 feet front, and extend back to rim rock or hill.

ARTICLE 2. Each party or parties discovering diggings of either denomination in this district shall be entitled to one claim by right of discovery.

ARTICLE 3. All claims in this district shall be represented by one day's work in seven until laid over, provided all claims may be represented by work on any one claim or claims in this district.

ARTICLE 4. Work done for the benefit of claims shall be considered representing the same.

On motion of Jas. Richardson, H. C. Furman was elected recorder by acclamation.

It was resolved that the recorder be allowed $2 for recording each claim.

H. C. FURMAN, *President.*

(Signed) R. H. HAINES, *Secretary.*

Names of members of the meeting: Jas. Richardson, J. S. Meldrum, Wm. Potter, James Casey, Jos. Riley, Jerry McCarthy, Cornelius Shields.

On motion of J. S. Meldrum all claims were laid over until the 1st day of May, 1869.

On motion adjourned.

(Signed) R. H. HAINES, *Secretary.*

Filed Feb. 17th, 1869, at 10 o'clock A. M.

(Signed) JOSEPH H. SHINN, *Clerk.*

JACKSON COUNTY.—STEAMBOAT MINING DISTRICT.

"MINING LAWS OF STEAMBOAT MINING DISTRICT

At a meeting held at Steamboat City Jackson County Oregon April 3rd 1869 W. F. Alcorn was elected President and H W Tutle Secretary. The following Mining laws were adopted.

ART 1st This District to be known as the "Steamboat Mining District" comprises the following territory to wit: Beginning at the head of the Cañon on Carbury Fork of Applegate River about two and ½ miles below the mouth of Brush Creek including all of said Carbury fork and its tributaries from said Cañon to its head.

ART 2nd A mining Claim to comprise One hundred yards in length up and down the Stream flat or channel,—river or creek claim to consist of the present bed, low bars and low channels. Flat or high bar claims—in width—from the high bed rock out of the river or creek to the raising bed rock of the mountain or hill. Gulch claims the bed, bars and banks. Hill claim all the channel or wash.

ART 3rd A person is entitled to three claims by pre'emption as follows: One in the bed of a river or creek—One on a flat—One in a gulch or hill—as many by purchase as he wishes.

ART 4th All claim or claims shall be taken up by Notices and recording. There shall be two Notices One at each end of the claim or claims placed as conspicuously as possible with the date and name or names of the pre'emptor or pre'emptors thereon. Said notices and recording to hold good for ten days if the ground is workable at the time of pre'empting—if not workable until it is workable and ten days thereafter.

ARTICLE 5 Each Claim to be represented by one days labor in ten days if workable unless said claim or claims have been opened and worked with Sluices or other Machinery by leaving the sluices or machinery on the claim or claims holds them good for three months—provided the owner or owners are not working a similar class of claims elsewhere by pre'emption. Any person or persons having River claims have a right to remove their sluices and to work the same during low water; But shall state the case by a written Notice in the vacated works. When two or more claims lay together and are owned by the same owner or owners work on any one of said claims is equivalent to working on all. All claim or claims when water is to be brought in by damming, ditching or by other artificial menes for their working to be considered workable at all times. All ditching or other preparatory works towards mining to be considered the same as working on the claim or claims.

ART 6 No person or persons have a right to put in dam or dams, dump or obstruct any claim or claims in any manner whatever if it be possible without too much expense to work their claim or claims in any other way with equal facility and profit. Where any person or persons owing claim or claims and are dumping or have in dams or other works necessary for the working of their claim or claims such ground as such dams or other works obstruct to be considered not vacant.

ART 7 The oldest claim to have prior right to water dumping daming etc.

ART 8 All disputes arising in regard to the title or the working of claim or claims to be left to Referees, each party choosing one, a miner, the two chosen ones, to choose a third, all of said Referees shall reside and have a claim in this mining district. The duty of said Referees shall be to hear the evidence and statements bearing upon the case before them and to decide the question or questions involved. If either party feel aggrieved at the decision rendered have a right and can appeal to a general miners meeting of this District It shall be the duty of the Recorder to write out three Notices calling said meeting, giving at least two day's Notice.

ART 9 No deed or sale of a claim to be considered valid unless the claim or claims have been pre'empted in accordance with the laws and customs of this Mining District and further said pre'emptor or pre'emptors shall have worked or cause to have been worked to the amount of Twenty (20) Dollars on said claim or claims.

ART 10 Any person or persons discovering new Diggings in any River, Creek, Gulch. Flat or Hill in this District shall be entitled to an extra claim of One hundred (100) yards.

ART 11 All mining laws or customs heretofore existing in this mining District not in accordance with the above laws are hereby repealed and are now and henceforth null and void.

Steamboat City April 3rd 1869

M. F. ALCORM, *President*

A. W. TUTTLE *Secty*

Filed and Recorded April 20th 1869

W. H. S HYDE
County Clerk Jackson Co Oregon."

I hereby certify that the foregoing is a correct copy of the Mining Laws of Steamboat Mining District as they appear upon the Records in my office.

HENRY KLIPPEL *County Clerk*
By W. J. PLYMALE *Deputy*

DOUGLAS COUNTY.—MYRTLE CREEK MINING DISTRICT.

BY LAWS OF MYRTLE CREEK MINING DISTRICT ADOPTED APRIL 16TH 1869

ARTICLE 1st This District shall be known as Myrtle Creek Mining District

2d The boundaries of this district shall be as follows Commencing at the junction of the two main branches of Myrtle Creek thence running north to the summit of the divide between Myrtle Creek and Deer Creek, Thence easterly along the center of said divide to

what is known as White Rock, Thence following the course of said White Rock in a Southerly direction until it strikes the waters of South Myrtle Creek, Thence down said Mrytle Creek and following the center of the stream to place of beginning.

3d A notice shall hold a claim or claims for ten days from date of posting, when if not recorded said claim or claims shall be subject to relocation but if recorded said notice shall hold good for Ninety days from date of record

4th Creek or Bar claims in this district shall be three hundred feet in length by six hundred feet in width

5th No person shall hold more than one claim in this district by location

6th Quartz claims shall be three hundred feet in length by one hundred and fifty feet in width with all dips spurs and angles of the ledge

7th Each claim or set of claims shall have four district and well defined corners which shall not embrace more than their allotted complement of ground

8th Each claim shall be Recorded within ten days from date of location

9th There shall be a recorder elected annually to serve one year whose duty it shall be to keep a true and correct record of each and every claim brought to him to be recorded in a book kept by him for that purpose, provided the same claims be paid for, it shall also be his duty to keep a copy of minutes of all miners meetings held in the district during his term of office, he shall keep a record of all sales or transfers of claims, he shall live in the district and under no circumstances shall he take the book of records out of the district, he shall deliver to his successor in office all books papers or other property in his possession belonging to the district

10th The fees of recorder shall be twenty five cents for each and every claim recorded by him

11th Any person or persons locating water privileges within said district shall have control of all water in said stream or streams, over one sluice head which must be left in its natural channel or bed if required to work the same said water right shall be recorded within three days from the date of location

12th It shall be the duty of parties having claims recorded to give the recorder a full and correct description of their boundaries, and where located together with a copy of the notice and names of locaters

13th These By-Laws shall not be altered or amended except by a two-thirds vote of all the bona fide claim holders in the district at a meeting held for that purpose, notice of which shall be given by posting notices in three conspicious place in the district at least twenty day's prior to holding such meeting

14th One copy of these Laws shall be posted on Strong & Neils Mill, and one copy kept by the Recorder

MOSES LEE *President*

WM A. MULKEY *Secretary.*

Recorded the foregoing May 26″ A D 1869

M M MELVIN *County Clerk*

BAKER COUNTY.—ST. CLAIR MINING DISTRICT.

TRANSCRIPT. RESOLUTIONS AND BYLAWS OF ST. CLAIR MINING DISTRICT, IN BAKER COUNTY, OREGON.

At a meeting of the miners of Connor Creek October 22nd, 1869, the following laws and regulations were enacted to govern and regulate miners and mining in said district.

ART. 1. This district shall be known as St. Clair Mining District, and shall embrace Connor Creek and its tributaries to their summits.

ART. 2. All mining claims in this district shall be 300 feet square, and shall be divided into four classes, to wit, creek claims, gulch claims, bar claims, and hill claims, and each miner shall be entitled to hold one claim of each class by pre-emption, and no more; but nothing in these laws shall be so construed as to prevent any person from holding by purchase as many claims as he may choose.

ART. 3. Each company of three or more mining creek claims shall be entitled to hold three hundred feet over and above their pre-emption right as drain and dumpage ground.

ART. 4. Each person or company of persons holding mining claims in this district must represent the same by at least one day's labor in every ten days.

ART. 5. Each person or company of persons taking and claiming ground in this district shall do so by posting or causing to be posted a written notice at each end of the same when taken.

ART. 6. Any person making new and separate discoveries of gold in this district shall be entitled to hold one claim for such discovery in addition to his pre-emption rights.

ART. 7. Any person or company of persons holding claims in this district shall not be required to represent the same between the dates of November 1st, 1869 and April 15th, 1870.

CHRISTIAN HENCKLER, *Chairman.*

Attest

THOMAS E. JONES, *Secretary.*

RESOLUTIONS AND BYLAWS OF ST. CLAIR DISTRICT, BAKER CO., STATE OF OREGON.

At a miners' meeting held on Dry Gulch, St. Clair District, June 23rd, A. D. 1871, the following resolutions were adopted by the unanimous consent of the miners present, to wit:

Resolved that all mining claims in this district be and are hereby declared laid over from this 23rd day of June, A. D. 1871 until the 15th day of April, A. D. 1872, and that the owners shall not be required to represent their claims between the above mentioned dates.

T. F. HOVER, *Chairman.*

T. E. JONES, *Secretary.*

P. O. Flames, John Lappin, John Dennitt, W. E. Woods, P. Bruens, E. J. Swepson.

BAKER COUNTY.—POCAHONTAS MINING DISTRICT.

TRANSCRIPT. POCAHONTAS MINING DISTRICT.

ART. 1st. This district shall be known as the Pocahontas Mining District, and shall be bounded as follows, to wit: commencing at the head of the Auburn canal on Pine Creek, thence down Pine Creek to a point where Elliott and Van Patton's mill ditch taps said creek, thence down said ditch to a point where Elliott and Van Patton's mill stands, thence on a straight line running in a southeasterly direction to the residence of David Kelly near Pocahontas, thence on a straight line running in a southeasterly direction to the James (?) school-house, thence running in an easterly direction to the residence of William Hindman near the mouth of Washington Gulch, thence up said Washington Gulch to a point where the Auburn canal crosses said gulch, thence up said Auburn canal to the point of beginning.

ART. 2nd. No person shall be considered a qualified voter unless he holds and works a mining claim or set of claims.

ART. 3rd. The size of a creek claim shall be two hundred feet up or down the creek, and extending from rim rock to rim rock on the sides.

ART. 4th. The size of a gulch claim shall be two hundred feet up or down the gulch, and extending from rim rock to rim rock.

ART. 5th. The size of a bar claim shall be two hundred feet front, and extending back to the hill.

ART. 6th. The size of a hill claim shall be two hundred feet front, and run back to the summit of the hill.

ART. 7th. The size of a flat claim shall be two hundred feet square.

ART. 8th. No person shall be entitled to more than one creek, one gulch, one bar, one hill, and one flat claim on any one creek, gulch, hill, bar, or flat by location except the discoverer, who shall be entitled [to] one claim for discovery.

ART. 9th. Nothing in article 8th shall be so construed as to prevent any person from purchasing mining ground, provided that they comply with the rules and regulations herein set forth.

ART. 10th. Each person or company of persons shall do at least one day's work on each claim or set of claims in seven, when water can be obtained at reasonable rates, from the 10th day of May to the 4th day of July in each year, otherwise said claim or claims shall be deemed forfeited.

Respectfully submitted by your committee.
(Signed)

N. H. GRAY, *Chairman Committee.*

NOTE.—Mining began at Pocahontas in 1862. No records of any miners' meetings have been preserved, but the foregoing articles have been recently judicially recognized as the local laws of the district. The first meeting is represented to have been held in 1869, and the last in 1878. There has been no district recorder since 1878.

JACKSON COUNTY.—UNION TOWN MINING DISTRICT.

(Organized July 2nd 1870.)

"MINING LAWS.

After reciting that due Notice had been given according to Law for the organization of A New District and electing J. W. Burrell Chairman and W. A. A. Hamilton Secty the meeting proceeded to organize the District as follows to wit: It was moved and carried that this District be bounded on the North by the Jackass Mining District; On the East by the Sterling District: On the South by the Comstock Ditch; On the West by the summit of the mountains bordering on the main Stream of Applegate.

F. M. Smith was elected local Recorder for this District. Moved and carried that the following Articles be and they are hereby adopted as the By-Laws of this District to wit:

ART 1st That Hill or Gravel lead Claims shall consist of two hundred yards in length and to comprise the entire width of the channels or gravel lead.

ART 2nd That Bar claims bordering on the main streams shall consist of two hundred yards in length and comprise the entire width of said Bars.

ART 3rd That Creek Claims shall consist of two hundred yards in length and comprise the width of the bed of the Creek.

ART 4th That Gulch claims shall consist of two hundred yards in length and fifty yards in width on each side from the center of said Gulch.

ART 5th That all miners shall be entitled to hold one Hill claim, one creek Claim, one Bar claim and one Gulch claim, and that any miner shall be entitled to hold by location one claim (in addition to those that the above Articles allow him) for discovery of new mines.

ART 6th That miners shall hold their claims of all classes by posting up one Notice on said claims in a conspicuous place and by having said claims recorded in the Office of the Recorder of said District and that a renewal of said Notices at said Recorder's Office once in every six month's will hold said claims and that a neglect to comply with said requirements will show by the Recorders Books that Claims so neglected are abandoned.

ART 7th That the Recorder of said Mining District shall be entitled to receive, as fees, fifty cents for recording each Claim of two hundred yards in length and twenty five cents for each renewal.

Filed and Recorded July 13th 1870

SILAS J DAY *County Clerk.*"

I hereby certify that the foregoing is a true and correct copy of the Mining Laws of Union Town Mining District and of the whole of the same as appears upon the Record in my office and custody.

HENRY KLIPPEL *County Clerk*
By W. J. PLYMALE *Deputy*

BAKER COUNTY.—INDEPENDENCE MINING DISTRICT.

TRANSCRIPT. INDEPENDENCE DISTRICT, SISLEY STATION, BURNT RIVER, BAKER COUNTY, STATE OF OREGON, DECEMBER 26TH, 1870.

Pursuant to a call a miners' meeting was held at Sisley Station on Burnt River, County of Baker and State of Oregon, for the purpose of making mining laws to protect the miners therein.

On motion by Mr. Stilman the house was called to order, and C. Easterbrook was elected chairman. A. J. Weatherby secretary.

SEC. 1. *Resolved* the boundary of Independence District commencing at the mouth of first cañon above the Express Ranch, and extending down to the mouth of said river, and extending from one summit of the mountain of one side of the river to the summit of the mountain on the other side of the river.

SEC. 2. *Resolved* that a mining claim shall be three hundred feet in front, facing the river or creek, and thence extending back to the rim of the hill.

SEC. 3. *Resolved* that every man be allowed to hold one bar claim, one gulch claim, one hill claim, one creek claim, one river claim, by location, said river or creek claim to extend up or down said stream three hundred feet, and a gulch claim to extend up or down the gulch three hundred feet, and seventy-five feet on each side from the center of the gulch.

SEC. 4. *Resolved* that every man shall represent his claim every ten days by doing ten hours' work on each claim or claims.

SEC. 5. *Resolved* that it shall be the duty of every man to make the lines and corners of his claims visible by stake or mounds.

SEC. 6. *Resolved* that these laws take effect from this date.

SEC. 7. *Resolved* that all bar or gulch claims be laid over until March first, 1871, and river claims be laid over until July first, 1871, and that all claims must be recorded.

C. EASTERBROOK, *Chairman.*

(Signed) A. J. WEATHERBY, *Secretary.*

The following men were present at this meeting.

(Signed) A. J. WEATHERBY, *Secretary.*

W. E. Wood, T. O'Coner, C. Hedge, Daniel Kely, B. Tyson, J. H. Graham, S. F. Bush, W. W. Basey, G. Huffman, Hugh Kelly, T. B. Stilman, Frank Baker, Thomas Sulliven, J. N. Osburn

CURRY COUNTY.—BOULDER MINING DISTRICT.

BY-LAWS:

At a Meeting of the miners of this District. held at the Claims of R. F. Cox jr. the following resolutions and by laws were passed:

Resolved That the boundaries of this District. shall be as follows: Commencing on the summit of the mountain and following the ridge dividing the waters of Somers Creek and the waters of a creek known as Slippery Rock. Creek, thence in a westerly direction to the ocean beach: thence following the beach in a northerly direction. to the mouth of Floras Creek, thence east to the summit of the mountain, thence following the first range of Mountains to the place of beginning and it is Called Boulder District.

Messrs R. F. Cox, Alex. Thrift and James S Langlois were appointed a Committee to frame the by laws of this district, and they presented the following Byelaws which were unanimously adopted

ARTICLE 1 A Claim shall consist of Three hundred feet running on the lead and the entire width

ARTICLE 2 One claim by preemption is all a person can hold at one time

ARTICLE 3d All water privileges claimed in this district. shall have a notice posted on the same, and the water turned or other improvements within ten days of the date of notice

ARTICL 4 Every person or Company holding Claims in this district shall post a notice in a conspicuous place as near as may be on the lead and have the same recorded ten days within

ARTICL 5 All claims now taken shall be represented, by work within thirty days, from this date and all hereafter, within thirty days from date of notice

ARTICL 6 There shall be a recorder elected who shall record all notices and assignments, presented to him for that purpose, the record to be subject to the inspection of the miners at any time and he shall also file a Copy of the proceedings of this meeting in the County Clerks office for record The fees of the recorder shall be one dollar for each claim or assignment Recorded by him

ARTICLE 7 No Woman will be allowed to hold a claim by preemption in this district

ARTICLE 8 Working any portion of a Company Claim will represent the whole

ARTICLE 9 Any person holding a claim in this district shall appear personally on the Claim within sixty days from this date or date of their notice, and no sale will be valid before such appearance is made

R. F. Cox was duly elected recorder of this District

Dated this 11th day of Sept 1871

ISHAM COX *Chairman*

GEO. M. DYER *Secretary*

STATE OF OREGON

County of Curry ss

I certify the foregoing to be a true copy of the laws of Boulder District as recorded in my office Witness my hand and seal this Nov. 8th 1880

[SEAL] WALTER SUTTON *County Clerk*

JACKSON COUNTY.—JACKASS AND POOR MAN'S CREEKS MINING DISTRICT.

MINING LAWS OF JACKASS & POOR MAN'S CREEKS

Miners' Meeting Held at the House of Miller & Savage on Jackass Creek Feby 21st 1876.

Pursuant to public Notice the Miners of Jackass and Poor Man's Creeks—Jackson County Oregon—met at the above named place for the purpose of revising and amending the mining laws of Jackass Mining District and organized by the election of Wm Miller as Chairman and Jesse Titus Secretary. The object of the meeting having been stated on motion a committee of five consisting of Francis Logg James McDonall John McKee Daniel Hopkins and Jesse Titus were appointed to draft By Laws and Regulations to govern said mining District who, after a short recess submitted the following report which was on motion received and the committee discharged.

SEC 1. That the Mining District of Poor Man's Creek and Jackass Creek shall be consolidated and the same shall include these Creeks and all the tributaries and Gulches from their source in the mountains to their confluence with Applegate.

SEC 2 All the rules, regulations and By Laws of the Districts of Jackass and Poor Man's Creeks are hereby repealed and the following passed in lieu thereof.

SEC 3 A mining claim in this District shall be one hundred yards square.

SEC 4 Each person shall be allowed to hold one creek claim and one bank claim by location.

SEC 5 Any eligible miner shall be allowed to hold as many claims by purchase as he will represent and work according to these rules and by laws

SEC 6 No Mongolian or alien who has not declared his intention to become a citizen of the United States shall ever hold or work any Mining Claim in this District.

SEC 7 If any person or company or corporations shall employ a Mongolian or alien until he declares his intention to become a citizen of the United States to work any mining claim for one month it shall be a forfeiture of the claim and any citizen of the United States or eligible foreigner who has declared his intention to become a citizen of the United States may locate and hold the same at any time before the entry is made at the Land Office for a patent.

SEC 8 If any person or Company or Corporation shall employ a chineman who was not in Oregon at the adoption of the Constitution of Oregon to work any mining claim or claims for ten days before the entry of the same at the Land Office it shall be a forfeiture of the Claim or claims and the same may be located and held by any citizen of the United States or any eligible foreigner who has declared his intention to become a citizen of the United States.

SEC 9 Every person or Company owning a Mining claim or claims shall do or cause to be done one day's work in each and every week for each and every mining claim he or they claim as long as there is a sluice head of water in the Creek, provided the claim or claims are so situated that the water can be got upon them; and provided if the claims are located together the work may be done on any one of them.

SEC 10 No person shall divert the waters of either Creek to the injury of the claim or claims of any person below.

SEC 11 No person or Company or Corporation shall erect a dam, reservoir or other obstruction in the Creek which shall work any injury to claimants.

SEC 12 Any person or Company or Corporation putting in a Reservoir shall have a flood-gate which shall be five feet in breadth and three feet in hight and shall keep the same open as long as there is a ground-sluice head of water in the Creek

SEC 13 As there is a dispute in regard to bank claims these rules and regulations shall take effect and be in force from and after their passage

SEC 14 These rules and regulations shall not be amended or repealed until after notice of the Miners Meeting shall be published in the Jacksonville Papers for four consecutive weeks and the notices also posted up in three conspicuous places in this District.

On motion the rules and by laws reported by the committee were adopted by a unanimous vote. On motion the proceedings of this meeting were ordered published in the *Oregon Sentinel* and *Democratic Times* for four weeks and that copies of the same be posted in the District at three conspicuous places.

On motion it was ordered that a copy be furnished the County Clerk to be put upon record in his office. On motion meeting adjourned.

W. C MILLER *Chairman*

JESSEY TITUS *Secretary*

Filed and Recorded Feby 24th 1876

E. D. FOUDRAY *County Clerk*

I hereby certify that the foregoing is a true and correct copy of the said Jackass and Poor Man's Creeks Mining Laws as the same appears upon the records in my office and in my custody.

HENRY KLIPPEL *County Clerk*
By W. J. PLYMALE *Deputy Co Clerk*

JOSEPHINE COUNTY.—SILVER CREEK MINING DISTRICT.

BY LAWS OF SILVER CREEK MINING DISTRICT.

At a meeting of the miners of Silver Creek Mining District. a Creek situated in Josephine County, Oregon, and heading on the divide between Taylor Creek and Briggses Creek and emptying into the Illinois River. Held on the 14th day of June 1878.

M. F. Alcorn was elected Chairman and M. Baughman Secretary,

The following boundaries were established as the boundaries of Silver Creek. Mining District, to wit,

The water and tributaries of said Silver Creek from the head to its Confluence with the Illinois River.

It was then and there agreed that Claims may be located from 50 to 100 yards in width or a sufficient width to Cover the Creek and of length Sufficient to include 20 Acres.

On motion A. C. Tatum was elected Recorder of said Creek District for the term of six months from this date.

Dated June 14th 1878

M. F. ALCORN *Chairman*

M. BAUGHMAN *Secy*,

Recorded November 4th 1878

CHAS HUGHES *County Clerk*

STATE OF OREGON

County of Josephine ss

I F. M. Nickerson County Clerk for said County of Josephine do hereby certify the foregoing to be a true transcript of the By Laws of Silver Creek mining district, as the same appears of Record Dated June 14th 1878, and in my office, and custody, and of the whole of said original,

Witness my hand and seal this 19th day of November A. D. 1880

F. M. NICKERSON *County Clerk*

BY LAWS OF SILVER CREEK MINING DISTRICT

SEC 1 This shall be known as Silver Creek District, the laws of this Creek shall be that every white male Citizen shall hold one hundred (100) Yards by location.

SEC 2 And that every Company shall do one days work in every ten (10) to represent their claims until laid over for the season.

SEC 3 And that every Company shall represent their claims on the first day of June A. D. Eighteen hundred and Seventy nine.

SEC 4 And that all claims can be laid over on the first day of October and they shall extend till the first day of June.

SEC 5 And that the fee for recording shall be one dollar for each claim, and for laying a claim over twenty five cents,

These Laws made this day September 6th 1878

J. B. BAKER *Chairman*

F. METZ *Secretary*

R. H. REDMON *Recorder*

Entered on Record September 9th 1878

CHAS HUGHES *County Clerk*

STATE OF OREGON

County of Josephine ss

I F. M Nickerson County Clerk in and for said County of Josephine. do hereby certify the foregoing to be a true transcript of the By laws of Silver Creek Mining District, as the same appears of record Dated Sept 6th 1878 and in my office and Custody, and of the whole of said Original

Witness my hand and seal this 19th day of November A D 1880

[SEAL] F. M. NICKERSON *County Clerk.*

BAKER COUNTY.—LOOKOUT MINING DISTRICT.

TRANSCRIPT.

CHICKEN CREEK, *July 6th*, 1878.

At a meeting of the miners held at the house of G. Croker, on Chicken Creek, on the above mentioned day, the following business was transacted.

On motion of A. J. Weatherly, J. H. Marshall was elected chairman and George Croker was elected secretary.

On motion of A. J. Weatherly, and seconded by T. W. Foster, that a committee of five persons be elected for purpose of drafting laws and amendments to the laws of Independence Mining District, and report the same to adjourned meeting to be held on the 20th day of July, 1878, at the aforementioned place, at 2 o'clock P. M.

The house then proceeded to elect committee.

The following persons were elected, receiving the highest number of votes: Thomas Hoffman (?), D. Gilchrist, J. H. Marshall, G. Croker, G. Hoffman.

All business being transacted, the house then adjourned to meet Saturday, July the 20th, at the same place.

At an adjourned meeting held at the house of G. Croker on Saturday, July the 20th, 1878, the following business was transacted.

Moved and seconded that the report of committee be received. Motion carried.

Moved the report of committee be considered by sections. Motion carried.

Moved and seconded that section first become a law. Motion carried.

Moved and motion carried, that section second become a law. Carried.

Moved that section third become a law. Carried.

Moved that section fourth become a law. Adopted.

Moved and seconded that section first of article two become a law. Carried.

Moved that section second, article three, become a law. Carried.

Moved and seconded that a recorder be elected by ballot. Carried.

The house then proceeded to ballot. George Hoffman receiving a majority of the votes was declared elected recorder.

REPORT OF COMMITTEE TO THE MINERS OF CHICKEN CREEK IN CONVENTION ASSEMBLED.

Having made investigation of the laws of Independence Mining District and such other matters as we feel in duty bound [to] consider, your committee on laws beg leave to submit the following report:

SEC. 1. That there be a new district established, with boundaries by such as follows.

ARTICLE I.

This mining district shall be known as Lookout Mining District, with the following boundaries, to wit: commencing at the mouth of Centennial Gulch, and running thence up said gulch to the summit of hill; thence to where the road crosses the divide known as Hog Back on Jordan Gulch; thence on a continuous line to the summit of mountain between Burnt River and Snake River; thence along said summit to Lookout Mountain; thence down the summit of ridge between Sisley Creek and Swayse (?) Creek to old emigrant road; thence along said road to place of beginning.

ARTICLE II.

SEC. 1. There shall be a recorder elected for this district on the first Monday in April of each year, to hold the office for the term of one year, or until his successor shall be elected.

SEC. 2. It shall be the duty of the recorder to measure and mark, number and record all claims in this district, on application of any person or persons, be there one or more claims, in a book kept for the purpose, and marked "Book of Mining Claims, Lookout Mining District."

SEC. 3. It shall be [the duty of] the recorder to record all water rights in this district upon application of locators thereof in a book marked "Book of Records of Water Rights, Lookout Mining District."

SEC. 4. The district recorder shall receive as a compensation for his services as such recorder the sum of one dollar for each and every notice so recorded.

ARTICLE III—OF CLAIMS.

SEC. 1. Placer mining claims in this district shall be divided as follows—creek, bar, gulch, and hill claims.

SEC. 2. A creek claim shall be three hundred feet along stream, up or down, and from rim on one side of the creek to rim on other side.

SEC. 3. A bar claim shall be three hundred feet front, and running back three hundred feet from the rim.

SEC. 4. A hill claim shall be three hundred feet square.

SEC. 5. A gulch claim shall be three hundred feet up or down the gulch, and seventy-five feet on each side from the center of the gulch.

ARTICLE V (IV ?).

SEC. 1. All placer mining shall be represented by labor on or before the first day of April of each year, provided that any person or persons [having] two or more claims adjoining may do such work on any one of said claims.

SEC. 2. All claims upon which a sluice head of free water can be obtained of twenty inches miners' measure shall be represented by at least one day's labor in every ten days.

SEC. 3. All labor performed upon ditches or flumes and reservoirs for the use and benefit of claims, shall be considered as representation of said claims.

ARTICLE VI.

SEC. 1. Whereas there is no recorder for this district, there shall be a recorder elected, to serve for the fractional term ending the first day of April, A. D. 1879.

CURRY COUNTY.—SOUTH FORK MINING DISTRICT.

The Miners of South Fork Sixes River Curry County Oregon met in Assembly on Limber Bar, pursuant to notice December 7th 1878 for the purpose of organizing a mining District, and making such rules and regulations for its government as a majority might decide upon The meeting was called to order G D Elgin was elected chairman and E. T. Jennings Secretary. The following was then submitted and adopted.

1st The Territory embraced by the District consists of all the Country drained by the South Fork of Sixes River, to the Dam of Deadmond & Co, which is on the South Fork about ¾ of one mile above its junction with the main river

2d It shall be known by the name of South Fork Mining District

3d The Mining Claims shall be of four orders namely.

1st River Claims
2d Gulch claims
3d Bar. claims
4th Quartz claims

4th River claims shall be not more than 300 feet in length, along the channel and confined within the side walls of the same

5th Gulch claims, the same as the river claims

6th Bar or Bench claims shall be not more than 300 feet on a line parallel with the general course of the river (which is nearly east and west and extending back 1500 feet from the central point of the front, which is the top of the side wall of the river, the end lines shall be parallel

7th Quartz claims shall be in accordance with the laws of the State of Oregon, pertaining to such

8th Ditches and water privileges, shall be in accordance with the laws of the State of Oregon, pertaining to such

9th The location of claims shall be made, by posting a notice of such in some conspicuous place on the claim describing the kind of claim the number of feet, marking the end lines distinctly, and mentioning adjoining claims if any—Such notice shall hold for thirty

days, at the expiration of which time, on or before it shall be recorded, by the District Clerk who shall issue a certificate of location if required

10th The miners of the District shall be citizens of the United States or who have declared their intention of becoming so

11th Each miner shall be entitled to one claim of each order by location on due representation

12th The representation of claims shall consist, in doing three days or ten dollars worth of work each month (or the full amount at one time) that will cover the working season, and posting notices as stated.

The time to commence representation of River claims, shall be from the 15th of May to the 15th of June

The time for Gulch and Bar claims shall be from the 15th of October to 1st of November

13th A Sluice head of water belongs primarily to the river and Gulches and shall not be diverted from them while claims are being worked therein

14th All disputes or differences in regard to claims shall be settled by arbitration

15th The recording of claims shall not be obligatory until the 1st of March 1879

16th A Clerk or Recorder shall be elected whose duties shall be to keep a book of these laws and record all claims presented for Record and issue Certificates of location when demanded.

On motion George D Elgin was elected recorder of the District The meeting then adjourned subject to call by notice of the Recorder

GEORGE D ELGIN *Chairman*

STATE OF OREGON
County of Curry ss

I certify the foregoing to be a true copy of the local laws of South fork Sixes Mining District as it appears on Record in my office

Witness my hand and seal this Nov—5th 1880

[SEAL] WALTER SUTTAR *County Clerk*

JOSEPHINE COUNTY.—LOWER SILVER MINING DISTRICT.

At a miners meeting held on Silver Creek below the falls, to form a Mining District on the 20th Dec 1878, formed and adopted the following.

This district shall be known as the Lower Silver Mining District, Bounded as follows. Commencing at the Mouth of Silver Creek and running up Stream to the falls, and likewise the North fork of Silver Creek, that puts into the Main Stream below the falls and opposite the upper bald hills. This District shall be governed by the Laws of Congress of 72 and that a claim or Twenty acres shall not be over one fourth of a mile long up and down the Stream, a man can hold but one claim in this District.

David Harris was elected Recorder,

CHARLES. BROWN, *Chairman.*

DAVID, HARRIS *Sec,*

STATE OF OREGON
County of Josephine ss

I F. M. Nickerson County Clerk in and for said County do Certify the foregoing to be a true Copy of the original By Laws of said Lower Silver Creek District as the same appears in my office & custody This 18th day of Nov A D 1880

[SEAL] F. M. NICKERSON *Co Clerk*

COOS COUNTY.—JOHNSON MINING DISTRICT.

LOCAL LAWS—MINING DISTRICT ON JOHNSONS CREEK.

At a meeting of the miners on Johnson's creek for the purpose of organizing a Mining District pursuant to Notice, Thomas Green was chosen president, when the following was presented and adopted.

ARTICLE I. Johnson District to embrace all the the country drained by Johnsons creek and that part of the South Coquill river from the junction of Johnson's creek to the head of the Canon.

II. The dimension of a Mining Claim shall not exceed (400) four hundred feet

III. Claims shall be of three orders, Creek Bank and Gulch claims.

IV. Claims shall be represented by ($10) Ten Dollars worth of work from 10th day of May until 10th day of June, and by one day's work from the 10th day of June until the 1st day of October

V. River or creek claims shall embrace all grounds between high bed rock on each side

VI. Bank claims shall embrace all ground from the margin of the stream to the raise of the main mountain.

VII. Ditches and Water Rights shall conform with the U S and State Laws

VIII. Any person discovering diggins in any gulch in the district shall be entitled to one claim for each discovery.

IX. No person or company shall be allowed more than one claim of each kind for each person in such Company at one time.

X No claim shall be forfeited by sickness or legal inability of claimant.

XI. None but Citizens of the United States or those having declared their intention of becomming Citizens shall hold claims in this District.

XII. All disputes in regard to claims to be settled by Arbitration in and by the miners of this District.

Received and Recorded June 8th A D 1879

ALEX STAUFF *County Clerk.*

STATE OF OREGON
County of Coos ss

I Alex Stauff, County Clerk and Recorder of said County hereby certify that I have compared the foregoing Copy of Mining Laws of Johnson District, with the Original as appears of Record in my Office. That it is a correct Transcript therefrom and of the whole of such Original.

And I further certify that I have made careful serch in my Office and am unable to find any other Local Law of Mining Districts on file or of Record in my Office.

In Witness Whereof I have hereunto set my hand and Official Seal this 27th day of October A D 1880.

[SEAL.] ALEX STAUFF *County Clerk.*

DOUGLAS COUNTY.—WEST COW CREEK MINING DISTRICT.

STATE OF OREGON
County of Douglas ss

WEST COW CREEK *July* 19″ 1879

A miners meeting held on Cow Creek on the day above mentioned for the purpose of organizing a district and enacting laws & etc

Meeting called to order by J J McCord, J A Kerkindall chosen chairman Pro tem Woodson Patterson chosen Clerk The following Resolutions were adopted

1st *Resolved* That the boundaries of this district shall be the following described lines towit—Commencing where the Rogue River trail crosses West Cow Creek, Thence running west to the summit of the mountain between Cow Creek and Coquille Thence following the summit of said mountain to Mt Boliver Thence east on the summit of the mountain between Cow Creek and Rogue River to the trail on cold spring, Thence North following the trail to place of beginning:

2d *Resolved,* That a bar claim in this district shall be one hundred yards long up and down the creek and run back to the foot hill, a creek claim shall be one hundred yards long up and down the creek across the bed of the creek on each side until the bed rock raises 5 feet a glulch claim shall be one hundred yards long and 25 yards on each side of the bed, A hill claim shall be one hundred yards front and run back to the summit

3d *Resolved,* That all persons mining or working bar claims in this district shall be entitled to the privileges of dump into the creek along their bar

4th *Resolved,* That all claims and water rights located in this district shall be recorded with the recorder of this district within 15 days from posting notices

5th *Resolved* That all persons holding mining claims in this district shall represent their claim by one days work at least every 30 days

6th *Resolved,* That no chinamen hold a claim or work in this district

7th *Resolved,* That this district be known as by the name of West Cow Creek.

On motion Woodson Patterson was nominated and elected recorder for the period of twelve months or until his successor be elected

J A KERKINDALL *Chairman*

WOODSON PATTERSON *Secretary*

Present at the meeting Zachariah Barnes, J J McCord B F, Belieu, T G Devins, J P. Davis M L Friend

Recorded Aug 11″ 1879

T R. SHERIDON *Co. Clerk*

JACKSON COUNTY.—COYOTE MINING DISTRICT.

SYNOPSIS OF COYOTE MINING LAWS.

Exceptional sections.

5th Creek Claims shall be represented from the 1st of Dec to the 1st of June.

6th Gulch Claims shall be represented from the 1st of Dec to the 1st April.

7th Bench or Flat claims shall be represented from the 1st of Dec to the 1st June.

8th One person can hold two claims by location provided they are not of the same class.

9th No person in this District shall sell his claim until he shall have done work to the value of 50^{00} upon the same.

10th Any person leaving his claim for a period of ten days during the working period—unless in case of sickness—shall forfeit the same.

NOTE. The remaining part of these laws is about the same as those already noted

(See laws of Steamboat District, Jackson Co.)

——— ——— *Deputy Clerk*

UTAH.

SALT LAKE COUNTY.—WEST MOUNTAIN MINING DISTRICT.

BY-LAWS

At a meeting of the Quartz Miners of West Mountain Quartz Mining District, held at Jordan Ward House, Salt Lake Valley, on the 17th day of September, 1863, the following By-laws were passed:

ARTICLE No. 1. This District shall include that portion of territory situated in the Territory of Utah, and bounded as follows: Commencing at the confluence of the river Jordan with Great Salt Lake, and running thence in a southerly direction along the east bank of said river Jordan to its point of exhit from lake Utah; thence along the west margin of said lake Utah to the 40th degree of north latitude (Greenwich), to the 114th degree of West longitude (Greenwich); thence along said 114th of west longitude to the 41st degree of north latitude; thence along said 41st degree of north latitude to Great Salt Lake; thence along the margin of said lake in a south-easterly direction to the place of beginning.

ART. No. 2. The extent of a claim on any quartz lead or vein shall be two hundred feet to the claim, with all its dips, angles and variations.

ART. No. 3. No person will be permitted to hold more than one claim by location on any one vein; by purchase can hold any number of shares.

ART. No. 4. All claims located must have a notice posted upon them, stating the number of shares and the probable course claimed, and also recorded in the books of the District Recorder within ten days after location.

ART. 5th. Each company must do one faithful day's work on their claims each month after the first day of April, 1864. A failure to do so, the claim will be jumpable; *provided*, however, that if the company are prevented by local insurrection or rebellion from working, a failure to do so will not forfeit their claims.

ART. 6th. The discoverer of a vein of quartz containing gold, silver, copper, or other valuable metals or minerals, will be entitled to locate two shares.

ART. 7th. There shall be a District Recorder elected from among the miners of the District, whose duty it shall be to record all claims presented for the purpose, giving the name of each location or owner, and receive as compensation a sum not exceeding one dollar per location or owner. His term of office shall be one year, or until his successor is chosen.

ART. 8th. These laws will apply to locations of claims or veins of coal, iron, or other metals or minerals in this District.

Archibald Gardner was elected District Recorder of West Mountain District for one year from the date above written.

ARCHIBALD GARDNER, *President.*

G. W. GARLETON, *Secretary.*

TERRITORY OF UTAH,
County of Salt Lake. ss.

I, Henry Thompson, Recorder of West Mountain Mining District, said county and Territory, do hereby certify that the foregoing is a true and correct copy of the mining laws of said District, passed by a meeting of miners of said District, September 17th, 1863, as appears of record in said District.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, at Bingham City, in said District, this 3d day of April, A. D., 1876.

[SEAL.] HENRY THOMPSON, *Recorder,*
per J. T. McKINNON, *Deputy.*

TERRITORY OF UTAH,
County of Salt Lake, ss.

Henry Thompson, of lawful age, being by me first duly sworn, deposes and swears: I am the duly elected and qualified Recorder of the West Mountain District, situated mostly in Salt Lake County, Utah Territory; that I am, as such Recorder, the custodian of the books and records of the said Mining District; that the above and foregoing is a true, full and correct copy of the By-laws of the said West Mountain Mining District, as appears of record in my office, adopted on the 17th day of September, A. D., 1863, and in full force and effect from the said last mentioned date, till the 2d day of August, A. D., 1864.

HENRY THOMPSON, *Recorder.*

Subscribed and sworn to before me, this the 10th day of April, A. D. 1876.

[SEAL.] LAWRENCE A. BROWN, *Notary Public.*

At a meeting of the miners of the West Mountain Mining District, pursuant to call published in the Union Vidette, Geo. W. Chamberlin was called to the Chair, and J. M. Merrill was elected as Secretary.

On motion of H. M. May, the meeting was adjourned to meet at the provost Marshal's office at 4 o'clock p. m.

At an adjourned meeting of the miners of the West Mountain Mining District, held at the Provost Marshal office, on Tuesday, August 2d, 1864, Mr. Thomas Snee was called to the Chair, and J. M. Merrill was appointed Secretary. The Chairman stated that the object of the meeting was for the purpose of amending and revising the laws of the said District.

A committee consisting of George W. Chamberlin, James W. Yoacham, H. M. May, Geo. M. Campbell, and R. F. Dusky, were appointed to revise and amend the said laws.

ARTICLE 1st. This District shall include that portion of territory situated in the Territory of Utah and bounded as follows: Commencing at the confluence of the river Jordan with Great Salt Lake, and running thence in a southerly direction along the east

bank of the said river, to its point of exhit from lake Utah; thence along the west margin of said lake to the 40th degree of north latitude (Greenwich); thence along said 40th degree of north latitude to the eastern boundary of Tooele County; thence along said boundery to the Great Salt Lake, and from thence easterly to the place of beginning.

ART. 2d. The extent of a claim on any mineral vein shall be two hundred (200) along the lode, with a width of one hundred (100) feet on each side of the lode, including all its dips, spurs, depths, widths, offshoots, outcroppings, or variations and all the minerals and other valuables therein contained, and priority of location shall determine the ownership of all cross or other leads traversing ground claimed under these laws. The discoverer and locator of a lead shall entitled to one claim additional for discovery.

ART. 3d. No person shall hold more than one claim by location on any one vein. By purchase any number of claims may be held.

ART. 4th. It shall be the duty of the Recorder whenever application is made to him to record a claim, to go upon the ground, measure accurately said claim, and erect or cause to be erected, a mound of rocks at the point of discovery of said claim three feet in diameter and two feet high, with a stake in the center of sufficient height above the mound for the notice to be posted thereon of said claim. Said notice shall state particularly the distances and direction of said claim, for which recording and locating he shall receive the sum of one dollar and fifty cents ($1.50) in the currency of the United States; also fifty cents (50c) each, for all certificates furnished.

ART. 5th. The Recorder shall keep two series of books in one of which to record all locations, and in the other all transfers of claims in this District, to be styled Book A., B. and C. of Claims, and Book A., B. and C. of Transfers, in the latter of which he shall place on record all deeds of shares presented for that purpose, for which he will be entitled to receive a sum not exceeding one dollar ($1) in each case, and all such records, with the necessary revenue stamp affixed, shall be deemed legal evidence of sale or ownership, as the case may be.

ART. 6th. Each company shall do one faithful day's work on their claim each month; on a failure to do so, such claim or claims shall be subject to relocation; *provided*, however, that should the company be prevented from working by local insurrection or rebellion, their claims shall not be forfeited; and *provided further*, that no claim belonging to a soldier shall be subject to relocation until six months shall have elapsed after his discharge from the service of the United States, unless he shall sign an agreement or articles of incorporation to the contrary.

ART. 7th. When fifty cents per foot shall have been expended on the claims of any company, person or persons, on any one location claimed by any person or company, said claim shall be considered as real estate, and not subject to forfeiture except by actual abandonment.

ART. 8th. All claims shall be recorded within ten days after a notice of location shall have been posted thereon; but a notice filed for record in the Recorder's office shall be considered in all cases equivalent to a record.

ART. 9th. Locators on veins of coal or iron shall be entitled to five hundred (500) feet for each location, and five hundred (500) feet additional for discovery, and in all other respects shall be subject to and enjoy all the privileges and immunities of these laws.

ART. 10th. All voters at meetings to regulate mining interests shall be claim owners in this district.

ART. 11th. All meetings for the purpose of election or changing these laws must be called by posting written notices in at least three public places in the District, or by publishing the same in some newspaper printed in the Territory, said publication to be made by the Recorder in either case during at least twenty (20) days previous to such meeting, stating the object thereof.

ART. 12th. All examinations of records shall be made in the presence of the Recorder or his Deputy. When relieved the Recorder shall turn over to his successor all books and papers pertaining to his office. He shall have a seal and attest all acknowledgements and certificates made by him; *provided*, that he may use his private seal until the proper seal of office shall be procured.

On motion the Chairman declared the meeting adjourned.

THOS. SNEE, *President.*

J. M. MERRILL, *Secretary.*

TERRITORY OF UTAH,
County of Salt Lake. ss.

I, Henry Thompson, Recorder of West Mountain Mining District, said county and Territory, do hereby certify that the foregoing is a true copy of the By-laws of said District, passed by a miners' meeting, August 2nd, 1864, as appears of record in said District.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, this 4th day of April, A. D., 1876.

[SEAL.]

HENRY THOMPSON, *Recorder,*
per J. T. McKINNON, *Deputy.*

TERRITORY OF UTAH,
County of Salt Lake, ss.

Henry Thompson, of lawful age, being by me first duly sworn, deposes and swears: I am the duly elected and qualified Recorder of the West Mountain Mining District, situated in Salt Lake County, Utah Territory; that I am, as such Recorder, the custodian of the books and records of the said Mining District; that the above and foregoing is a true, full and correct copy of the By-laws of the said West Mountain Mining District, as appears of record in my office, amended and adopted on the 2nd day of August, A. D., 1864, and in full force and effect from the said last mentioned date, till the 17th day of December, A. D., 1864.

HENRY THOMPSON, *Recorder.*

Subscribed and sworn to before me, this the 10th day of April, A. D. 1876.

[SEAL.]

LAWRENCE A. BROWN, *Notary Public.*

BY-LAWS

At a meeting of miners held at Messrs. Miller, Heaton & Co.'s mills pursuant to notice published in the Daily *Vidette* for Dec. 16th, 1864, on motion of M. S. Stickney, Dr. O. H. Congar was elected chairman *pro tem.* On motion of A. Sackrider, M. S. Stickney was elected Secretary. The object of the meeting was stated by the Chairman. Then, on motion of J. A. Weller, the meeting stood adjourned to meet at 8 A. M., Dec. 17th, 1864.

Dec 17th, 1864, meeting opened as to previous adjournment. On motion of J. A. Miller, Dr. O. H. Congar was unanimously elected as permanent Chairman of the meeting. Then, on motion of R. B. Chisholm, M. S. Stickney was elected as Secretary. The meeting was then opened by the Chairman stating the object of said meeting. Upon motion of A. D. Heaton, the laws, as revised August 2d, 1864, were read. The meeting then proceeded to select a Committee consisting of five (5)—J. A. Miller, as Chairman, Dr. O. H. Congar, R. B. Chisholm, A. D. Heaton and Jas. Dixon as said Committee—to consider the mining laws and report amendments which were reported and adopted, amending Article 4, Notice 6th, Article 11th, and striking out Article 7th. The above amendments were unanimously adopted.

The Recorder was instructed to obtain a new set of books in which to transfer all locations heretofore recorded, and retain the old set of books for reference. Then, upon motion, Wm. P. Clark was unanimously elected as Recorder of West Mountain Mining District. On motion, the meeting adjourned *sine die.*

Dr. O. H. CONGAR, *Chairman.*

M. S. STICKNEY, *Secretary.*

ARTICLE 1st. This District shall include that portion of territory situated in the Territory of Utah and bounded as follows Commencing at the confluence of the river Jordan with Great Salt Lake, and running thence in a southerly direction along the east bank of said river, to its point of exit from lake Utah; thence along the west margin of said lake to the 40th degree of north latitude (Greenwich); thence along said 40th degree of north latitude to the eastern boundary of Tooele County; thence along said boundary to the Great Salt Lake, and from thence easterly to the place of beginning.

ART. 2d. The extent of a claim on any mineral vein shall be two hundred (200) feet along the lode with a width of one hundred (100) feet on each side of the lode, including all its dips, spurs, depths, widths, off-shoots, outcroppings, variations and all the mineral and other valuables therein contained, and priority of location shall determine the ownership of all cross or other leads traversing ground claimed under these laws. The discoverer and locator of a lead shall be entitled to one claim additional for discovery. Not more than twenty-four hundred (2400) feet shall be located on any one mineral lode which may be taken on either or both ends of the discovery claim; all other claims located on the same vein or lode shall be located as new discoveries

ART. 3d. No person shall hold more than one claim by location, on any one vein; by purchase any number of claims may be held.

ART. 4th. It shall be the duty of the Recorder whenever application is made to him to record a claim to go upon the ground, measure accurately said claim, and erect, or cause to be erected, a mound of rocks at the point of discovery of said claim three feet in diameter and two feet high, with a stake in the center of sufficient height above the mound for the notice to be posted thereon of said claim. Said notice shall state particularly the distances and directions of said claim, for which recording and locating he shall receive the sum of one dollar and fifty cents ($1 50) in the currency of the United States, also fifty cents each for all extra certificates furnished; and on the failure of the Recorder to perform such duty after receiving notice by writing or in person from any claimant, he not only forfeits his fees, but is subject to immediate removal from office.

ART. 5th. The Recorder shall keep two series of books, in one of which to record all locations and in the other all transfers of claims in this district, to be styled "Book A, B and C of Claims" and "Book A, B and C of Transfers", in the latter of which he shall place on record all deeds of shares presented for that purpose, for which he will be entitled to receive a sum not exceeding one dollar ($1) in each case, and all such records with the necessary revenue stamps affixed shall be deemed legal evidence of sale or ownership, as the case may be.

ART. 6th. Upon each location prescribed in Article 4, there shall be done fifty dollars' worth of work within six months from this date, or the date of location thereof, each individual claimant paying or working the pro rata amount of the requisite fifty dollars, or upon their failure to do so their claims to be subject to relocation. When the said amount of fifty dollars' worth of work shall have been done, the Recorder shall grant certificates of real estate or realty to each claimant who has complied with these laws; also upon all claims upon which the requisite amount of work has already been done, the Recorder shall certify accordingly upon application of the claimant or claimants, provided, however, that should the claimants be prevented from working by local insurrection or rebellion, their claims shall not be forfeited, and provided, further, that no claim belonging to a soldier shall be subject to relocation until six months shall have elapsed after his discharge from the service of the United States, unless he shall sign an agreement or articles of incorporation to the contrary.

ART. 7th. All claims shall be recorded within ten days after a notice of location shall have been posted thereon; but a notice filed for record in the Recorder's office shall be considered in all cases equivalent to a record.

ART. 8th. Locators on veins of coal or iron shall be entitled to five hundred (500) feet for each location, and five hundred (500) feet additional for discovery, and in all other respects shall be subject to and enjoy all the privileges and immunities of these laws.

ART. 9th. All voters at meetings to regulate mining interests shall be claim owners in this district.

ART. 10th. All meetings for the purpose of election or changing these laws must be called by posting written notices in at least three public places in the District, or by publishing the same in some newspaper printed in the Territory, nearest this mining District, said publication to be made by the Recorder or ten actual claim holders; in either case during at least twenty (20) days previous to such meeting, stating the object thereof.

ART. 11th. All examinations of records shall be made in the presence of the Recorder or his Deputy. When relieved the Recorder shall turn over to his successor all books and papers pertaining to his office. He shall have a seal and attest all acknowledgements and certificates made by him; *provided,* that he may use his private seal until the proper seal of office may be procured.

JOHN A. MILLER,
Chairman Committee on Revised Laws and Amendments.

BINGHAM KANYON, U. T., *December 17th,* 1864.

TERRITORY OF UTAH,
County of Salt Lake. ss.

I, Henry Thompson, Recorder of West Mountain Mining District, said county and Territory, do hereby certify that the foregoing is a true and correct copy of the By-laws of said District, passed by a miners' meeting, December 17th, 1864, as appears of record in said District.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, in Bingham City, in said District, this 4th day of April, A. D., 1876.

[SEAL.] HENRY THOMPSON, *Recorder*,
per J. T. McKINNON, *Deputy*.

TERRITORY OF UTAH,
County of Salt Lake, ss.

Henry Thompson, of lawful age, being by me first duly sworn, deposes and swears: I am the duly elected and qualified Recorder of the West Mountain Mining District, situated in Salt Lake County, Utah Territory; that I am, as such Recorder, the custodian of the books and records of the said Mining District; that the above and foregoing is a true, full and correct copy of the By-laws of the said West Mountain Mining District, as appears of record in my office, amended and adopted on the 17th day of December, A. D., 1864, and in full force and effect from the said last mentioned date, until the 26th day of June, A. D., 1872.

HENRY THOMPSON, *Recorder*.

Subscribed and sworn to before me, this the 10th day of April, A. D. 1876.

[SEAL.] LAWRENCE A. BROWN, *Notary Public*.

MINERS' MEETING AT BINGHAM CANYON.

Notice is hereby given to all persons owning interests in West Mountain Mining District, that a meeting will be held at the Recorder's office, at junction of Carr Fork and Bingham Canyon, on Wednesday, June 26, 1872, for revising the By-Laws of the West Mountain Mining District and electing a Recorder and doing such other business as may come before the meeting.

Bingham Canyon, West Mountain Mining District, June 5, 1872.

I. N. MERRILL, *Recorder*.

At a meeting of the miners of West Mountain Mining District, held pursuant to call on June 26, 1872, A. D. Heaton was called to the Chair, and John Brunton was elected Secretary.

The following committee was than appointed to revise the By-Laws of said District: S. B. Kinney, John Brunton, I. N. Merrill, G. W. Crowley and J. B. Hickman.

The meeting then adjourned to meet at the Recorder's at 2 P. M., July 6, 1872.

A. D. HEATON, *Chairman*.

JOHN BRUNTON, *Secretary*.

BINGHAM CANYON, *June* 26, 1872.

We, the undersigned, Judges and clerks of an election held in Bingham Canyon, June 26, 1872, for the purpose of electing a Recorder of quartz claims for the West Mountain Mining District, Salt Lake County, U. T., do hereby certify the following to be the result of said election: I. N. Merrill received 199 votes; S. C. Perrin received 158 votes; Whole number of votes cast, 357, making a majority of 41 votes for I. N. Merrill. We, therefore, declare I. N. Merrill duly elected to said office for the ensuing year.

L. B. KINNEY,
N. J. TEACHENOR,
Judges.

Attest:
CHAS. W. STRAIN,
J. E. HUGHES,
Clerks.

At an adjourned meeting of the miners of West Mountain Mining District, Bingham Canyon, Salt Lake County, Utah Territory, the following committee, consisting of L. B. Kinney, I. N. Merrill, G. W. Crowley, John Brunton and J. B. Hickman, previously appointed to revise the By-laws of said District, met at the Recorder's office July 6, 1872, and prepared the following code of laws, which were adopted:

ARTICLE 1. This District shall be known and styled by its former name, the West Mountain Mining District and is bounded as follows, to-wit: Commencing at the confluence of the river Jordan with Great Salt Lake, and running thence in a southerly direction along the east bank of said river, to its point of exit from Lake Utah, to the 40th degree of north latitude, thence alongside 40th degree of north latitude to the east boundary of Tooele County, thence along said boundary to the Great Salt Lake, and from thence easterly to the place of beginning.

ART. 2. A Recorder shall be elected on the third Saturday of June, in each year, who shall reside in said District and keep his office at least within one mile from what is known as the Heaton & Campbell saw-mill. He shall keep his office open at all reasonable hours of the day for the transaction of business and for the inspection of the District Record books by the miners of the said District. He shall keep two series of books, one of which to record all locations, and the other all transfers of claims in this District, the same to be styled Book A, B, C, etc., of claims, and Book A, B, C, etc., of transfers, for which he shall be entitled to receive the following fees: For recording location notices, the sum of two dollars; and for recording transfers, one dollar and fifty cents, and one dollar for each extra certificate officially furnished. The Recorder may appoint a deputy, who shall be empowered to transact any business pertaining to the office, and the Recorder shall be held responsible for any and all his official acts. The examination of the District records shall be made only in the presence of the Recorder or his deputy. At the expiration of the Recorder's term of office, he shall, upon the election of his successor, deliver over to him all books, papers and property appertaining or belonging to said office.

Upon application of ten or more eligible miners of this District, the Recorder shall call special meetings, giving ten days notice in writing by posting notice in three public places in the District, stating the time, place and object of said meeting. A majority of the miners present may legally transact business, but it shall require at least twenty-five legally constituted miners to form a quorum.

ART. 3 All claims shall be located on the general course of the lode and must be measured on the course of the croppings and as near on a level as practicable.

ART. 4. Any person or persons who have mining claims or an interest in any mine in this District that is valid, shall be entitled to vote at any District election.

ART. 5. A miner's claim, whether located by one or more persons, may equal, but shall not exceed fifteen hundred feet in length along the vein or lode, but no location of a mining claim shall be made, until the discovery of the vein or lode within the limits of the claim located. No claim shall exceed more than one hundred feet on each side from the middle of the vein or lode on the surface. Nor shall any claim be limited to less than one hundred feet except where adverse rights existed at the adoption of the By-Laws which shall render such limitation necessary. When it may become necessary for building or other purposes that an appurtenant or adjacent tract is requisite, the same shall not exceed in its limits a space three hundred feet square, and such tract may be situated at the nearest available point within the limits of the District.

ART. 6. All records of mininig claims or tunnel sites hereafter made, shall contain the name or names of the locators, the date of the location and such a description of the claim or tunnel located, by reference to some natural object or permanent monument as will clearly identify the said claim or tunnel. All locations, whether of claims or tunnel, shall be recorded within ten days after location, unless the locator or locators shall hold the same by constant labor thereon, otherwise the same shall be considered abandoned. The Recorder shall in no case record a notice unless the same accurately describes the said mine and its locality.

ART. 7. On each claim located since the passage of the law of Congress, May, 1872, to promote the development of the mining resources of the United States, at least one hundred dollars worth of work shall be performed for each and every succeeding year, until a patent shall be issued therefor. Fifty dollars worth of work, equivalent to one-half of the said amount, must be actually performed within the first six months, and the balance before the expiration of the year.

ART. 8. Any claimant or claimants claiming the right to relocate any claim, lode or tunnel, may apply to the Recorder in writing, and he shall appoint five disinterested persons to examine said claim, lode or tunnel. Any person or persons claiming the right of relocation shall object to three of the said persons so appointed, and the remaining two with the Recorder, shall visit, examine, and assess the work performed and the improvements made, and if a majority of said committee (including the Recorder) shall report in writing, and file with the Recorder, that the former locators or claimants of said lode, mine or tunnel have not complied with the mining laws of the District or of the United States, such claimant shall be entitled to relocate said lode, mine or tunnel, and the Recorder shall so certify and record the same, and the Recorder shall receive $5 for examining said mine.

ART. 9. Any person or persons shall have the right to locate for mining purposes any ledge, lode or deposit, and work the same through, and by means of a tunnel, and any work done on such tunnel claim shall be considered as work done on the claim or claims located, provided said tunnel notice distinctly designates the claim or claims intended to tap.

ART. 10. That when a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel to the same extent as if discovered from the surface and locations on the line of such tunnel, of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be valid, but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

ART. 11. All meetings for the purpose of elections or changing these By-Laws must be called by posting written notices in at least three places in the District, or by publishing the same in some newspaper printed in the Territory nearest this Mining District, said publication to be made by the District Recorder, twenty days previous to such meeting.

ART. 12. All laws or parts of laws in this District conflicting with these laws are hereby repealed.

L. B. KINNEY,
Chairman and Secretary of Committee.

I hereby certify the foregoing to be a true copy of a miners' meeting held in Bingham Canyon, West Mountain Mining District, for electing a Recorder and revising the By-Laws of said District

I. N. MERRILL, *Recorder.*

MINERS' MEETING AT BINGHAM CANYON.

Notice is hereby given that there will be a Miners' meeting held at the Recorder's office, in West Mountain Mining District, July 24th, 1875, at two o'clock P. M., for the purpose of amending and revising the laws of said District.

Bingham, June 28, 1875.

HENRY THOMPSON, *Recorder.*

At a meeting of the Miners of West Mountain Mining District, held pursuant to a call on July 24th, 1875, Henry Thompson was elected Chairman and Frank Hoffman Secretary. On motion, the following committee was elected to revise the laws of said District, viz: J. W. Turnbull, J. W. Burton, S. C. Perrin, John Brunton, Henry Thompson. The meeting then adjourned to meet at the Recorder's office, July 31st, 1875, at seven o'clock P. M.

HENRY THOMPSON, *Chairman.*

FRANK HOFFMAN, *Secretary.*

At an ajourned meeting of the Miners of the West Mountain Mining District, held at the Recorder's office, July 31st, 1875, the committee appointed at the previous meeting to revise the Laws of said District, reported the following, which was unanimously adopted:

ARTICLE. 1. This District shall be known and styled by its former name, the West Mountain Mining District, and is bounded as follows, to-wit: Commencing at the confluence of the river Jordan with Great Salt Lake, and running thence in a southerly direction along the east bank of said river, to its point of exit from Lake Utah, thence along the line of the fortieth degree of north latitude to the eastern boundary of Tooele County, thence along said boundary to the Great Salt Lake, and from thence easterly to the place of beginning.

ART. 2. A Recorder shall be elected on the third Saturday of June, in each year, who shall reside in said District and keep his office within one mile from the junction of Carr's Fork and Main Bingham Canyon. He shall keep his office open at all reasonable hours of the day for the transaction of business and for the inspection of the District Record books by the miners of the said District. He shall keep two series of books, one of which to record all locations, and the other all transfers of claims in this District, the same to be styled Book A, B, and C, etc., of claims, and Book A, B, and C, etc., of transfers, for recording which said claims and transfers he shall be

entitled to receive the following fees: For recording each notice of location two dollars; for recording each transfer, two dollars, and one dollar for each extra certificate officially furnished. The Recorder may appoint a deputy, who shall be empowered to transact any business pertaining to the office, and the Recorder shall be held responsible for any and all his official acts. The examinations of the District records shall be made only in the presence of the Recorder or his deputy. At the expiration of the Recorder's term of office, he shall, turn over to his successor, all books, papers and property appertaining or belonging to said office at any time within a period of ten days from the date of his successor's election.

Upon application of ten or more elligible miners of this District, the Recorder shall call special meetings, giving ten day's notice in writing by posting notices in ten public places in the District, stating the time, place and object of said meeting. A majority of the miners present may legally transact business, but it shall require at least twenty-five legally constituted miners to form a quorum.

ART. 3 All claims shall be located on the general course of the lode, and must be measured on the course of the croppings and as near on a level as practicable.

ART. 4. No person or persons but male citizens of the United States, of lawful age, and owners of valid mining property in this District, duly recorded before the day of election, shall be entitled to vote at any election either for the purpose of settling disputes or electing officers for said District.

ART. 5. A miner's claim, whether located by one or more persons, may equal, but shall not exceed fifteen hundred feet in length along the vein or lode, but no location of a mining claim shall be made, until the discovery of the vein or lode within the limits of the claim located. No claim shall exceed more than one hundred feet on each side from the middle of the vein or lode on the surface. Nor shall any claim be limited to less than one hundred feet except where adverse rights existed at the adoption of these By-Laws which shall render such limitation necessary. When it may become necessary for building or other purposes that an appurtenant or adjacent "tract" of land is requisite, the same shall not exceed in its limits a space three hundred feet square, and such tract may be situated at the nearest available point within the limits of the District.

ART. 6. All records of mininig claims or tunnel sites hereafter made, shall contain the name or names of the locators, the date of the loction and such a description of the claim or tunnel location by reference to some natural object or permanent monument as will clearly identify the said claim or tunnel. All locations, whether of claims or tunnels, shall be recorded within ten days after location, unless the locator or locators shall hold the same by constant labor thereon, otherwise the same shall be considered abandoned. The Recorder shall in no case record a notice unless the same accurately describes the said mine and its locality.

ART. 7. On each claim located since the passage of the law of Congress, May 10th, 1872, entitled an "Act to promote the development of the mining resources of the United States," at least one hundred dollars worth of work shall be performed or improvements made for each and every year, until a patent shall be issued therefor.

ART. 8. Any person or persons shall have the right to locate for mining purposes any ledge, lode or deposit, and work the same through, and by means of a tunnel, and any work done on such tunnel shall be considered as work done on the claim or claims located; *provided* said tunnel notice distinctly designates the claim or claims intended to tap.

ART. 9. When a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, and discovered in such tunnel to the same extent as if discovered from the surface, and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel and while work on the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

ART. 10. All meetings for the purpose of elections or changing these By-laws must be called by posting written notices in at least ten public places in the District, or by publishing the same in some newspaper printed in the Territory, nearest this Mining District, said notice to be given by the District Recorder at least twenty days previous to such meetings.

ART. 11. At all meetings or elections held for the purpose of electing the Recorder for this District, the polls shall be opened at seven o'clock A. M., and close at sundown.

The above is a true and correct copy of the laws adopted at the miners' meeting, held in West Mountain Mining District, July 31st, 1875.

HENRY THOMPSON, *Chairman.*

FRANK HOFFMAN, *Secretary.*

TERRITORY OF UTAH,
County of Salt Lake, ss.

Henry Thompson, first being sworn, on his oath, says he is the Mining Recorder of West Mountain Mining District, in said County and Territory, duly elected and qualified, and as such Recorder, the custodian of the records and papers belonging to the said office; that the printed pamphlet hereto attached contains on pages three, four, five, six and seven, the Mining Laws, approved at a meeting of the miners of this District on the 26th day of June, A. D. 1872; that they were in full force from that date until the 31st day of July, A. D., 1875; that the pamphlet contains on pages seven, eight, nine and ten, the revised laws adopted at a meeting of the miners of said District, held on the 31st day of July, A. D., 1875; that the last named laws are now and have been in full force since the 31st day of July, A. D., 1875.

HENRY THOMPSON, *Recorder.*

Subscribed and sworn to before me, this the 13th day of April, A. D., 1876.
[SEAL.] STILL. P. TAFT, *Notary Public.*

TOOELE COUNTY.—RUSH VALLEY MINING DISTRICT.

REPORT OF A MEETING OF MINERS HELD AT GOVERNMENT RESERVE, RUSH VALLEY, JUNE 11TH, 1864.

RECORDER'S OFFICE, STOCKTON, *July 28th*, 1875.

At a meeting of the miners of Rush Valley Mining District, held at the Government Reserve, Rush Valley, June 11th, 1864, Mr. M. G Lewis was called to the Chair, and Henry R. Miller appointed Secretary.

The Chairman stated that the objects of the meeting were to create a new mining district within the limits fo the West Mountain Mining District, elect a Recorder, and establish By-Laws for the government of said District.

A committee consisting of S. E. Jocelyn, E. C. Chase, A. Heitz and James A. Gibson were appointed to draft By-Laws.

The following laws having been presented by the committee, were acted upon *seriatim*, and adopted by the meeting.

BY-LAWS.

ARTICLE I. This District shall include that portion of Territory situated in the Territory of Utah, as follows: Beginning at a point on the northern boundary line of West Mountain Mining District, where it intersects the Eastern line of Tooele County; to follow this line to the point of its intersection with the southern boundary line of West Mountain Mining District, thence along said line to its point of intersection with the one hundred and fourteenth (114) degree of longitude west from Greenwich, thence along said 114th degree of longitude to the forty-first (41st) parallel of latitude north, thence east to place of beginning; the same to be known as the Rush Valley Mining District.

ARTICLE II. The extent of a claim on any mineral vein shall be two hundred (200) feet along the lode, with a width of one hundred (100) feet on each side of the lode, including all its dips, spurs, angles, depths, widths, off-shoots and outcroppings, variations, and all the minerals and other valuables therein contained; and priority of location shall determine the ownership of all cross or other leads traversing ground claimed under these laws; the discoverer and locator of a lead shall be entitled to one claim additional for discovery.

ARTICLE III. No person shall hold more than one claim by location on any one vein; by purchase, any number of claims may be held.

ARTICLE IV. All claims shall be measured in a horizontal line and numbered 1, 2, 3, etc., if from the discovery claim, either way.

ARTICLE V. Each Company shall do one faithful day's work on their claim each month. On a failure to do so, such claim or claims will be subject to relocation; *provided*, however, that should the Company be prevented from working by local insurrection or rebellion, their claims shall not be forfeited; and *provided*, further, that no claim belonging to a soldier shall be subject to relocation until six months shall have elapsed after his discharge from the service of the United States; unless he shall sign an agreement or articles of incorporation to the contrary.

ARTICLE VI. Work done or caused to be done by the owners in any tunnel, cut, shaft, water ditch, or privilege in good faith for the benefit of any claim, shall be considered as done on the claim owned by said person or Company.

ARTICLE VII. All claims shall be recorded within ten days after a notice of location shall have been posted thereon. But a notice filed for record in the Recorder's Office shall be considered in all cases equivalent to a record.

ARTICLE VIII. Claims on gold surface diggings shall be each two hundred (200) feet square.

ARTICLE IX. Locators on veins of coal or iron shall be entitled to five hundred (500) feet for each location, and five hundred (500) feet additional for discovery; and in all other respects shall be subject to and enjoy all the privileges and immunities of these laws.

ARTICLE X. Whenever three hundred ($300.00) dollars shall have been expended upon the claims of any Company in this District, the ground so claimed by said Company, shall be deemed as belonging in fee to the owners and their assigns, and the same shall not be subject to relocation by other parties ever after; except by an acknowledged abandonment of the ground by the company, which shall be so construed after said ground shall have lain idle for one year, and except in cases where claims are in litigation.

ARTICLE XI. All voters at meetings to regulate mining interests, shall be claim owners in this District.

ARTICLE XII. All meetings for the purpose of election or changing these laws, must be called by posting written notices in at least three public places in the District, or by publishing the same in some newspaper printed in the Territory; said publication to be made by the Recorder in either case, during at least twenty (20) days previous to such meeting, stating the object thereof.

ARTICLE XIII. There shall be a Recorder chosen from among the miners of the District, who shall hold his office during a term of one year, unless a successor be duly elected, which can only be done by a majority of the legal voters present at a meeting for that purpose.

ARTICLE XIV. He shall record all claims presented for that purpose, and be entitled to receive therefor a sum not exceeding one ($1) dollar for each separate claim or Company; *provided*, that it shall not be lawful for him to record any claim in conflict with a prior location. He shall endorse on all notices placed on file in his office, the exact time of presentation for record. It shall be his duty (if required by the locator) to furnish each share holder with a certificate of his claim, attested by the seal of his office, for each of which he shall be entitled to receive the sum of fifty (50) cents. Before recording any claim, he shall satisfy himself that no rights are infringed.

ARTICLE XV. The records of all claims located in this District and heretofore recorded under the laws of West Mountain District shall be transcribed into the books of this District, but from the date of the adoption of these laws such claims shall be in all respects except as to dimensions subject thereto.

ARTICLE XVI. The Recorder shall keep two series of books, in one of which to record all locations, and in the other all transfers of claims in this District, to be styled Book A, B and C, of Transfers, and Book A, B and C, of Claims, in the former of which he shall place on record all deeds of shares presented for that purpose, for which he shall be entitled to receive a sum not exceeding one (1) dollar, on each case, and all such records with the necessary revenue stamps affixed, shall be deemed legal evidence of sale or ownership as the case may be.

ARTICLE XVII. All examinations of records shall be made in the presence of the Recorder or his deputy. When relieved, the Recorder shall turn over to his successor all books and papers pertaining to his office; he shall have a seal, and attest all acknowledgements and certificates made by him; *Provided* that he may use his private seal until the proper seal of office shall be procured.

ARTICLE XVIII. All records and copies thereof properly certified, shall be legal evidence of their contents in all Courts in this Territory.

On motion, the District was declared established, and the By-Laws as above were adopted.

On motion, Andrew Campbell was unanimously elected Recorder.

On motion, the Chairman declared the meeting adjourned.

M. G. LEWIS, *President.*

HENRY R. MILLER, *Secretary.*

I, J. C. Reynolds, Mining Recorder of Rush Valley Mining District, Tooele County, U. T., and legal custodian of the records of said mining District, which are now in my possession, do hereby certify that the foregoing is a

true and complete copy of the By-Laws of the Rush Valley Mining District, as adopted June 11, A. D. 1864. Recorded in Book E, page 257 (commencing.)

Witness my hand and seal of office this 9th day of August, A. D. 1875.

[SEAL.] J. C. REYNOLDS, *Recorder.*

RECORDER'S OFFICE, STOCKTON, *July 28th*, 1875.

BY-LAWS OF THE RUSH VALLEY MINING DISTRICT AS AMENDED WITH RESOLUTIONS APPENDED, MARCH 4, A. D. 1865.

ARTICLE I. This District shall include that portion of Territory situated within the Territory of Utah, as follows: Beginning at a point on the northern boundary line of West Mountain Mining District, where it intersects the eastern line of Tooele county, to follow this line to the point of its intersection with the southern boundary line of West Mountain Mining District. Thence along said line to its intersection with the one hundred and fourteenth (114) degree of longitude west from Greenwich; thence along said one hundred and fourteenth (114) degree of longitude to the forty-first (41) parallel of latitude north; thence east to place of beginning. The same to be known as the Rush Valley Mining District.

ARTICLE II. The extent of a claim on any mineral vein shall be two hundred (200) feet along the lode with a width of one hundred (100) feet on each side of the lode, including all its dips, spurs, angles, depths, widths, offshoots, out-croppings, variations and all the minerals and other valuables therein contained, and priority of location shall determine the ownership of all cross or other leads traversing ground claimed under these laws. The discoverer and locator of a lead shall be entitled to one claim additional for discovery.

ARTICLE III. No person shall hold more than one claim by location on any one vein; by purchase any number of claims may be held.

ARTICLE IV. All claims shall be measured on a horizontal line and numbered 1, 2, 3, etc., if from the discovery claim either way.

ARTICLE V. Each company shall do one faithful day's work on their claim each month, each individual claimant doing, or causing to be done, his or her pro rata amount of said day's work. On a failure to do so, such claim or claims will be subject to relocation; *Provided*, however, that should the Company be prevented from working by local insurrection or rebellion their claims shall not be forfeited; and *provided*, further, that no claim belonging to a soldier shall be subject to re-location until six months shall have elapsed after his discharge from the service of the United States, unless he shall sign an agreement or articles of incorporation to the contrary.

ARTICLE VI. Work done or caused to be done by the owners in any tunnel, cut, shaft, water ditch, or privilege in good faith for the benefit of any claim shall be considered as done on the claim, owned by said person or company.

ARTICLE VII. All claims shall be recorded within ten days after a notice of location shall have been posted thereon. But a notice filed for record in the Recorder's office shall be considered in all cases equivalent to a record.

ARTICLE VIII. Claims on gold surface diggings shall be each two hundred (200) feet square.

ARTICLE IX. Locators on veins of coal or iron shall be entitled to five hundred (500) feet additional for discovery, and in all other respects shall be subject and enjoy all the privileges, etc., of these laws.

ARTICLE X. Whenever a mound of stone three feet in diameter on the ground and two feet high, shall be erected having a permanent notice posted thereon, naming the lode and company, and the sum of three cents per foot shall have been expended upon the claims of any company of this District, the ground so claimed by said company shall be deemed as belonging in fee to the owners and their assigns, and the same shall not be subject to re-location by other parties ever after; *Provided*, that whenever an individual claim owner owning in any company in this district shall on such company's claim have erected or cause to be erected, a mound of stone three feet in diameter on the ground, and two feet high with a permanent notice thereon, naming the lode and company, and shall have expended in addition thereto, three cents per foot for each foot owned by said claim owner in said company's claim, his or her interest shall be deemed as belonging in fee to the owner, and the same shall not be subject to re-location by other parties ever after; and, *provided* further, that it shall not be necessary for individual claim owners to erect mounds on company's claims where such mounds may be already erected.

ARTICLE XI. A certificate from the Recorder attested by the seal of his office certifying that any claim belongs to the owner in fee shall be legal evidence thereof in all courts in this Territory; *Provided*, that it shall be unlawful for the Recorder to certify that any claim belongs in fee to the owner until he shall be satisfied that said owner has complied with the conditions of Article Tenth (10th).

ARTICLE XII. Whenever any claim owner or owners in any company in this District shall see proper to work or develop their claims, they shall call a meeting of all the Company claim owners by posting notices, one at the Recorder's office, and one in the most conspicuous place in this District, naming the time, place and object of the meeting; and should the Company fail to agree in regard to working or developing their claim, any person or persons owning in the claim shall be at liberty to work said claim and levy an equal assessment pro rata per foot upon each individual claimant to defray the necessary expenses of such work or development, the same to be adjudged by three disinterested claim owners in this District who shall be chosen in the following manner: One by the party or parties doing or causing said work to be done. One by the owner or owners in said claim who may not have joined in doing or causing said work to be done, and the third by the two first. Should any of the claimants fail to pay their assessments, those doing the work shall be at liberty to take the same from delinquent's portion of the proceeds from the mineral of said claim, and in no other way shall they be able to force a collection of the said assessments unless an agreement shall have been entered into to the contrary.

ARTICLE XIII. All voters at meetings to regulate mining interests shall be claim owners in this District.

ARTICLE XIV. All meetings for the purpose of election or changing these laws must be called by posting written notices in at least three public places in the district, or by publishing the same in some newspaper printed in the Territory, said publication to be made by the Recorder in either case, during at least twenty (20) days previous to such meeting, stating the object thereof.

ARTICLE XV. There shall be a Recorder chosen from among the miners of the district, who shall hold his office during a term of one year, unless a successor be duly elected which can only be done by a majority of the legal voters present at a meeting for that purpose.

ARTICLE XVI. He shall record all claims presented for that purpose, and be entitled to receive therefor a sum not exceeding one (1) dollar for each separate claim or company; *Provided* that it shall not be lawful for him to record any claim in conflict with a prior location. He shall endorse on all notices placed on file in his office the exact time of presentation for record. It shall be his duty (if required by the locator) to furnish each share-holder with a certificate of his claim attested by the seal of his office, for each of which he shall be entitled to receive the sum of fifty (50) cents. Before recording any claim, he shall satisfy himself that no rights are infringed.

ARTICLE XVII. The records of all claims located in this District, and heretofore recorded under the laws of West Mountain District, shall be transcribed into the books of this District. But from the date of the adoption of these laws such claims shall be in all respects, except as to dimensions, subject thereto.

ARTICLE XVIII. The Recorder shall keep two series of books, in one of which to record all locations, and in the other all transfers of claims in this District, to be styled Book A, B and C, of Transfers, and Book A, B and C, of Claims. In the former of which he shall place on record all deeds of shares presented for that purpose, for which he shall be entitled to secure a sum not exceeding one (1) dollar

in each case, and all such records with the necessary Revenue Stamp affixed, shall be deemed legal evidence of a sale or ownership as the case may be.

ARTICLE XIX. All examinations of records shall be made in the presence of the Recorder or his deputy. When relieved, the Recorder shall turn over to his successor all books and papers pertaining to his office. He shall have a seal and attest all acknowledgements or certificates made by him; *provided*, that he may use his private seal until the proper seal of office shall be procured.

ARTICLE XX. All records and copies thereof properly certified shall be legal evidence of their contents in all courts in this Territory.

ARTICLE XXI. It shall be the duty of the Recorder to keep a certified copy of the laws of this District; also, a certified copy of the proceedings of any miners' meeting held in this District, which may be left with him for that purpose pursuant to the vote of any such meeting.

A. J. DILDIM, *President.*

E. P. JOHNSON, *Secretary.*

The following resolution was adopted unanimously:

Resolved, That no mining claim situated in this District shall be subject to relocation from and after the adoption of this resolution and prior to the first day of June A. D. 1865.

A J. DILDIM,
President of Miners' Meeting of March 4, 1865.

E. P. JOHNSON, *Secretary.*

I, J. C. Reynolds, Mining Recorder of Rush Valley Mining District, Tooele County, U. T., and legal custodian of the records of said mining District, which are now in my possession, do hereby certify that the foregoing is a true and complete copy of By-Laws of Rush Valley Mining District, as amended March 4, A. D. 1865, and recorded in Book E, of Locations, page 264 (commencing).

Witness my hand and seal of office, this 9th day of August, A. D. 1875.

[SEAL.] J. C. REYNOLDS, *Recorder*

RECORDER'S OFFICE, STOCKTON, *July 28th*, 1875.

BY-LAWS OF RUSH VALLEY MINING DISTRICT, AS AMENDED MAY 12, A. D. 1870.

A meeting of the miners of Rush Valley Mining District held pursuant to the following

Notice.

STOCKTON, RUSH VALLEY MINING DISTRICT, *April* 21*st*, 1870.

A meeting of the miners of the Rush Valley Mining District, Tooele County, Utah Territory, will be held at Gallagher's old store in Stockton, May 12, 1870, for the purpose of electing a Recorder and such other business as may be brought before the meeting.

(Signed) JOHN PAXTON, *Custodian of the Records.*

The meeting was held on the day appointed. John Paxton was called to the Chair, and Chas. H. Newbold appointed Secretary. An election was held for Mining Recorder of the District to serve one year from date. John Frank was nominated by J. W. Spratt, and Asa Butler by Captain Stover. Mr. Frank received 19 votes and Mr. Butler 2 votes. John Frank was therefore declared to be duly elected. A Committee of five was chosen to draft and amend the By-Laws, and the following By-Laws were duly presented and unanimously adopted:

SECTION 1. This District shall include that portion of territory situated in the Territory of Utah, as follows:

Beginning at a point on the northern boundary line of West Mountain Mining District, where it intersects the eastern line of Tooele County, to follow this line to the point of its intersection with the southern boundary line of West Mountain Mining District; thence along said line to its intersection with the one hundred and fourteenth (114) degree of longitude west from Greenwich; thence along said one hundred and fourteenth (114) degree of longitude to the forty-first (41) parallel of latitude north; thence east to place of beginning, the same to be known as the Rush Valley Mining District.

SEC. 2. It shall be the duty of the Recorder to record all notices of mining claims or locations, for which he shall receive the sum of fifty cents for each name contained in the notice of location. But the Recorder shall not be obliged to file for record or record any notice of location unless his fees are tendered in advance. The Recorder shall provide suitable books at his own expense in which all claims must be properly recorded and indexed.

SEC. 3. Each individual mining claim made in this district shall, in conformity with the United States Mining Laws, consist of two hundred feet in length on the ledge or lode, with the privilege of an additional claim of two hundred feet to the discoverer. All dips, spurs and angles radiating to or from the same, and one hundred feet of ground on each side of the ledge or lode; the whole distance located for mining purposes, and no location claiming parallel ledge, distinct outcrop, or upon any other pretence shall be allowed within the bounds as above prescribed.

SEC. 4. Locations shall be made by placing a legible notice on the ledge or lode by either of the following methods, to wit: On a monument of stone not less than two feet high, or on a post firmly placed in the ground not less than three inches through and three feet above ground, or on a tree not less than four inches through. The notice shall state the number of feet claimed in the location, the names of the parties locating the same, and the name by which the lode or ledge shall be known. Such notice shall hold good without record thereof for ten days from the date of location, but at the expiration of said ten days the claim, if not recorded, shall be subject to re-location.

SEC. 5. Within thirty days from the filing for record of any claim, there shall be performed upon the same two days' work for each and every two hundred feet of said location, which said amount of work having been duly and faithfully performed shall hold the claim for three months. A failure to comply with this law shall be deemed equivalent to an abandonment of the claim, and render the same liable to relocation. The Recorder shall duly record the work and issue a certificate of the fact if required by the claim owners. For recording the work, he shall be entitled to fifty cents per name, and for issuing a certificate of the same, one dollar.

SEC. 6. Whenever any claim shall have been worked to the extent of removing ten cubic yards of pick ground or two cubic yards of blasting ground to each two hundred feet, said claim shall be deemed to have complied with all requirements and demands of this district as regards work for the space of one year, and the Recorder shall duly record the same and issue a certificate to the effect that the provisions of this section have been complied with. For this service, he shall be entitled to a fee of one dollar, and fifty cents a mile for each mile necessarily traveled in going to and returning from the claim. No amount of work done shall hold the claim unless the same is recorded as herein provided. But nothing herein contained shall be construed to cause the forfeiture of claims on which the work herein required shall have been done previous to the adoption of these By-Laws.

SEC. 7. The Recorder shall place on the record immediately following the record of location notice, a brief description of the locality and boundaries of the claim named in the location notice.

SEC. 8. The locator of any claim shall have the right to make a square location, and by bounding the same and plainly marking the boundaries thereof shall be entitled to all the mineral veins, lodes, quartz or gold, or silver or other mineral bearing earth or rock found within the boundary line of said square location; and said locator or locators shall have the right to follow the dip of any ledge, lode or deposit, or all of them wherever they may lead, but each locator shall only be entitled to two hundred feet square in the same location, except for the right of discovery. No person shall gain title to any lead, lode or deposit or mining ground by any work done, or to be done, within the boundary line of any other company's claim; and any such work shall be deemed a trespass unless the first locator or locators have failed to comply with the requirements of these mining laws.

SEC. 9. A true copy of the location notice shall be placed upon the mine claimed, and no two companies of the same name shall be placed on the records unless differently numbered.

SEC. 10. Any one or more persons shall have the right to locate for mining purposes any ledge, lode or deposit, and work the same through and by means of a tunnel, and any work done on the whole claim or location. The same amount of work shall be required on tunnel locations that is required to be done on other locations. Said tunnel claims may be located in all cases where the person or persons making such locations desire to prospect for lodes, ledges or deposits of mineral that do not crop out or disclose themselves at the surface, or who desire to prospect anything in sight not previously located by other parties. The person or persons so locating shall state in their notice the metes and bounds of the ground they intend to prospect; *provided*, no location shall embrace more than three thousand feet on the length of the vein, or fifteen hundred feet on each side of the line of the tunnel. The locators of a tunnel claim shall be entitled to all the lodes, ledges or deposits and minerals embraced within the extent of the lines of their location not previously located, and shall hold the same by the same rules and regulations governing other locations. The number of feet on the lead or other parallel leads and veins to be cut by the tunnel as set forth in the notice of location shall determine the amount of work to be done; *provided*, further, whenever work shall have been done on a tunnel location to the amount of one thousand dollars ($1,000), it shall then be considered as a fee simple in the location, and no longer subject to the requirements of work to hold the same.

SEC. 11. When two or more veins or ledges or deposits connect or unite at any depth below the surface, and which are claimed by different parties, the oldest legitimate location shall hold or be entitled to hold the ledge, vein or deposit from the point of intersection downward, but shall not be entitled to anything from the point of intersection upwards unless not previously located.

SEC. 12. The Recorder shall be allowed fifty cents for each name in any abstract of record furnished by him.

SEC. 13. The Recorder shall have the right of appointing one or more deputies who shall act under the direction of the Recorder, and for whose acts he shall be responsible. They may be appointed and removed at the will of the Recorder of the district.

SEC. 14. The Recorder may absent himself from the district not exceeding sixty days by leaving a deputy recorder to attend to the records of the district. All examinations of the records must be made in the presence of the Recorder or his deputy, and the books shall at all times in business hours be open to the inspection of the public.

SEC. 15. The Mining Recorder shall hold office for one year from the date of his election, or until his successor is elected. In case of the resignation, death or removal of the Recorder from office for cause or his voluntary absence from the district for a period of sixty days, the office of Recorder shall be deemed vacant, and the deputy recorder shall notify the miners that an election is to be held to fill the vacant office of Recorder, stating time and place where such election takes place, and until the newly elected Recorder is qualified, the deputy recorder shall exercise the duties of the office.

SEC. 16. It shall be the duty of the Recorder to give at least five days notice of the time of holding the annual meeting, by posting notices in not less than three conspicuous places in the District at the written request of not less than five miners of the District. He shall in the manner above prescribed issue a call for a special meeting of miners, stating the time and place where said meeting shall be held, and the object for which said meeting is called. At said meeting, no business shall be transacted other than that specified and named in the call.

SEC. 17. It shall be the duty of the Recorder to transfer the records of his office to his successor within five days after said successor shall have been elected.

SEC. 18. Only *bona fide* miners of the district shall have the privilege of participating in any election or meeting of miners, and no person shall be considered a miner unless he has a claim recorded, and worked according to these By-Laws.

SEC. 19. The By-Laws may be amended at any annual meeting of the miners of the district, which meeting shall be held on the second Thursday in May, in each year, at which time a District Recorder shall be elected.

JOHN PAXTON, *Chairman.*

CHARLES H. NEWBOLD, *Secretary.*

JOHN FRANK, *Recorder.*

I, J. C. Reynolds, Mining Recorder of Rush Valley Mining District, Tooele County, U. T., and legal custodian of the records of said mining District, which are now in my possession, do hereby certify that the foregoing is a true and complete copy of the By-Laws of Rush Valley Mining District, Tooele County, U. T., as amended May 12, A. D. 1870. Recorded in Book D, pages 53 to 62, inclusive, said Mining District Records.

Witness my hand and seal of office, this 28th day of July, A. D. 1875.

[SEAL.] J. C. REYNOLDS, *Recorder.*

RECORDER'S OFFICE, STOCKTON, *Aug. 9th*, 1875.

BY-LAWS OF RUSH VALLEY MINING DISTRICT, AS AMENDED MAY 8, 1873.

SECTION 1. The By-Laws shall be so amended as to include the following Territory: This district shall be bounded on the south by the Ophir Mining District Boundary as defined at the miners' meeting held in Stockton, on July 30th, 1870. On the north by Tooele District, East and west boundaries remain unchanged.

SEC. 2. The Recorder shall be allowed the sum of ($2.50) two dollars and fifty cents for each claim of fifteen hundred feet or less, which he may record. It shall also be the bounden duty of the Recorder or his deputy to make a personal examination of any location offered for record before recording the same and take a description of said location from some prominent object, hill or ravine, which said description shall accompany and remain on file with the original notice.

SEC. 3. Claims shall be limited to one hundred feet on each side of middle or center of vein on surface.

SEC. 4. The location must be distinctly marked on the ground, so that the boundary can be readily traced. All records of mining claims hereafter made shall contain the name or names of locators, the date of location and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the passage of this act, and until a patent shall have been issued therefor, not less then one hundred dollars worth of labor shall be performed or improvements made during each year. On all claims located prior to the passage of this act ten dollars worth of labor shall be performed or improvements made each year for each one hundred feet in length along the vein until a patent shall have been issued therefor. But where such claims are held in common such expenditure may be made on any one claim, and upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to re-location in the same manner as if no location of the claim had ever been made; *provided*, that the original locators, their heirs, assigns or legal representatives have not resumed work upon the claim after such failure and before such location. Upon the failure of any one of the several co-owners to contribute his proportion of the expenditures required by this act, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owners personal notice in writing, or notice by publication in the newspaper published nearest the claim for at least once a week for ninety days; and if at the expiration of ninety days after such notice in writing or by publication, such delinquent should fail or refuse to contribute his proportion to comply with this act, his interest in the claim shall become the property of his co-owners who have made the required expenditure.

SEC. 5. The Recorder shall be allowed the sum of $2.50 for each certificate of amount of labor performed on any claim. The Recorder shall make such inspection of labor in person or by deputy, and they shall certify to the same according to the best of their ability.

SEC. 6. That where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof not previously known to exist, discovered in such tunnel to the same extent as if discovered from the surface and locations on the line of such tunnel of veins or lodes not appearing on the surface made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

SEC. 7. The Recorder shall be allowed fifty cents for each name in any abstract of record furnished by him.

SEC. 8. The Recorder shall have the right of appointing one or more deputies who shall act under the direction of the Recorder, and for whose acts he shall be responsible. They may be appointed or removed at the will of the Recorder of the district.

SEC. 9. The Recorder may absent himself from the district not exceeding sixty days by leaving a deputy recorder to attend to the records of the district. All examinations of the records must be made in the presence of the Recorder or his deputy, and the books shall at all times in business hours be open to the inspection of the public.

SEC. 10. The Mining Recorder shall hold office for one year from the date of his election, or until his successor is elected. In case of the resignation, death or removal of the Recorder from office for cause or his voluntary absence from the district for a period of sixty days, the office of Recorder shall be deemed vacant, and the deputy recorder shall notify the miners that an election is to be held to till the vacant office of Recorder, stating time and place where such election takes place, and until the newly elected Recorder is qualified, the deputy recorder shall exercise the duties of the office.

SEC. 11. It shall be the duty of the Recorder to give at least five days notice of the time of holding the annual meeting, by posting notices in not less than three conspicuous places in the District at the written request of not less than five miners of the District. He shall in the manner above prescribed issue a call for a special meeting of miners, stating the time and place where said meeting shall be held, and the object for which said meeting was called. At said meeting, no business shall be transacted other than that specified and named in the call.

SEC. 12. It shall be the duty of the Recorder to transfer the records of his office to his successor within five days after said successor shall have been elected.

SEC. 13. Only *bona fide* miners of the district shall have the privilege of participating in any election or meeting of miners, and no person shall be considered a miner unless he has a claim recorded, and worked according to these By-Laws.

SEC. 14. The By-Laws may be amended at any annual meeting of the miners of the district, which meeting shall be held on the second Thursday in May, in each year, at which time a District Recorder shall be elected.

E. C. CHASE, *Chairman.*

W. B. SCHUYLER, *Secretary.*

J. C. REYNOLDS, *Recorder.*

After the foregoing By-Laws had been read, section by section, it was moved by Judge Warren and seconded by Doc. Clifford that the By-Laws as amended and reported on by the Committee be adopted and go into effect from and after this date. Motion put and carried unanimously.

Moved that the Committee on By-Laws be discharged. Carried.

It was then moved by Major O'Keefe, seconded by Judge Warren, that we adjourn. Carried.

E. C. CHASE, *Chairman.*

W. B. SCHUYLER, *Secretary.*

J. C. REYNOLDS, *Recorder.*

I, J. C. Reynolds, Mining Recorder of Rush Valley Mining District, and legal custodian of the records of said mining District, which are now in my possession, do hereby certify that the foregoing is a true and complete copy of the By-Laws of said Mining District, as amended May 8th, A. D. 1873, and recorded in Book E, page 79 (commencing).

Witness my hand and seal of office, this 9th day of August, A. D. 1875.

[SEAL.] J. C. REYNOLDS, *Recorder.*

SALT LAKE COUNTY.—MOUNTAIN LAKE MINING DISTRICT.

BY-LAWS.

At a meeting of the miners of Wasatch Mining District, held at Camp Douglas, U. T., July 20th, 1864, Mr. Wm. H. Farnham was called to the Chair, and Charles H. Godbold appointed Secretary.

The Chairman stated that the object of the meeting was to create a new Mining District within the limits of the Wasatch Mining District, elect a Recorder, and establish By-Laws for the government of said District.

A Committee consisting of E. P. Woolworth, Wm. A. Bennett and George Smith were appointed to draft By-Laws.

The following laws having been presented by the committee, were acted upon *seriatim*, and adopted by the meeting.

ARTICLE I. This District shall be known as the Mountain Lake Mining District, being a part of the Wasatch Mining District, to be bounded as follows: Beginning at the junction of Parley's Creek, with the Jordan river, thence up the right bank of said creek to the original eastern boundary line of the Wasatch Mining District, thence along said eastern boundary to the head of Utah Lake, thence along the eastern margin of said lake to the head of the Jordan river, thence along the eastern bank of said river to the point of starting.

ARTICLE II. The extent of a claim on any mineral vein shall be two hundred (200) feet along the lode with a width of five hundred (500) feet on each side of the lode, including all its dips, spurs, angles, depths, widths, offshoots, variations, and all the minerals therein contained; and priority of location shall determine the ownership of all cross or other leads traversing ground claimed under these laws; the discoverer and locator shall be entitled to one claim additional for discovery.

ARTICLE III. No person shall hold more than one claim by location on any one vein; by purchase any number of claims may be held.

ARTICLE IV. All claims shall be measured on a horizontal line, and numbered 1, 2, 3, etc., if from the discovery claim either way.

ARTICLE V. Each company shall do one faithful day's work on their claim each month; on a failure to do so, such claim or claims will be subject to relocation; *Provided, however*, That should the company be prevented from working by local insurrection or rebellion, their claims shall not be forfeited; *And, provided further*, That no claim belonging to a soldier, shall be subject to relocation until six months shall have elapsed after his discharge from the service of the United States unless he shall sign an agreement or articles of incorporation to the contrary.

ARTICLE VI. Work done or caused to be done by the owner in any tunnel, cut, shaft, water ditch or privilege, in good faith, for the benefit of any claim, shall be considered as done on the claim owned by said person or company.

ARTICLE VII. All claims shall be recorded within ten days after a notice of location shall have been posted thereon, but a notice filed for record in the Recorder's office, shall be considered in all cases equivalent to a record.

ARTICLE VIII. Claims on gold surface diggings shall be each two hundred (200)-feet square.

ARTICLE IX. Locators on veins of coal or iron shall be entitled to five hundred (500) feet for each locator, and five hundred (500) feet additional for discovery, and in all other respects shall be subject to and enjoy all the privileges and immunities of these laws.

ARTICLE X. Whenever three hundred ($300) dollars shall have been expended upon the claims of any company in this District, the ground so claimed by said company shall be deemed as belonging in fee to the owners and their assigns, and the same shall not be subject to relocation by other parties ever after, except by an acknowledged abandonment of the ground by the company, which shall be so construed after said ground shall have laid idle for one year, and except in cases where claims are in litigation.

ARTICLE XI. All voters at meetings to regulate mining interests, shall be claim owners in this District.

ARTICLE XII. All meetings for the purpose of election or changing these laws, must be called by posting written notices in at least three public places in the District, or by publishing the same in some newspaper printed in the Territory, said publication to be made by the Recorder in either case during at least twenty days previous to such meeting, stating the object thereof.

ARTICLE XIII. There shall be a Recorder chosen from among the miners of the District, who shall hold his office during a term of one year, unless a successor be duly elected, which can only be done by a majority of the legal voters present, at a meeting for that purpose; *Provided*, The Recorder is called away, he has the power to appoint a deputy, until a new Recorder may be chosen.

ARTICLE XIV. He shall record all claims presented for that purpose, and be entitled to receive therefor a sum not exceeding one ($1.00) dollar for each separate claim or company; *Provided*, That it shall not be lawful for him to record any claim in conflict with a prior location; he shall endorse on all notices placed on file in his office, the exact time of presentation for record; it shall be his duty (if required by the locator) to furnish each shareholder, with a certificate of his claim attested by the seal of his office, for each of which he shall be entitled to receive the sum of fifty (50) cents; before recording any claim he shall satisfy himself that no rights are infringed.

ARTICLE XV. The Records of all claims located in this District, and heretofore recorded under the laws of the Wasatch District shall be transcribed into the books of this District; but from the date of the adoption of these laws, such claims shall be subject thereto.

ARTICLE XVI. The Recorder shall keep two series of books, in one of which to record all locations, and in the other all transfers of claims in this District, to be styled Book A, B, &c., of Claims, and Book A, B, &c., of Transfers, in the latter of which he shall place on record all deeds of shares presented for that purpose, for which he shall be entitled to receive a sum not exceeding one dollar in each case. All such records, with the necessary revenue stamps affixed, shall be deemed legal evidence of sale or ownership as the case may be.

ARTICLE XVII. All examinations of Records shall be made in the presence of the Recorder or his deputy; when relieved the Recorder shall turn over to his successor all books and papers pertaining to his office; he shall have a seal, and attest all acknowledgements and certificates made by him; *Provided*, That he may use his private seal until the proper seal of office shall be procured.

ARTICLE XVIII. All records and copies thereof, properly certified, shall be legal evidence of their contents in all courts of this Territory.

On motion, the district was declared established, and the By-Laws as above were adopted.

On motion E. P. Woolworth was unanimously elected Recorder.

On motion, the Chairman declared the meeting adjourned, *sine die*.

(Signed) WM. H. FARNHAM, *President*.

CHARLES H. GODBOLD, *Secretary*.

I hereby certify the foregoing to be a true, full and correct copy of the Record now in my office, as found on the Book of the Mountain Lake Mining District.

[SEAL.] EDWIN D. WOOLLEY,

Recorder Salt Lake County, Utah, and Deputy Recorder of Mountain Lake Mining District.

DECEMBER 11, 1875.

MINING LAWS OF MOUNTAIN LAKE MINING DISTRICT, CONTINUED.

At a meeting of the claim-holders of Mountain Lake Mining District, held at Camp Douglas, U. T., May 29th, 1866, it was moved and seconded, and carried unanimously, that the By-Laws, as amended, should be transcribed as follows:

ARTICLE I. This District shall be known as the Mountain Lake Mining District, being a part of the Wasatch District, to be bounded as follows: Beginning at the junction of Parley's Creek, with the Jordan river; thence up the right bank of said creek to the original eastern boundary Wasatch Mining District; thence along said eastern boundary to the head of Utah Lake; thence along said eastern margin of said lake to the head of the Jordan river; thence along the eastern margin of said river to the point of starting.

ARTICLE II. The extent of a claim on any mineral vein shall be two hundred feet along the lode, with a width of one hundred feet on either side, including all its dips, spurs, angles, depths, widths, offshoots, and variations, and all the mineral therein contained; and priority of location shall determine the ownership of all crosses or other leads traversing ground claimed under these laws; the discoverer and locator shall be entitled to one claim additional for discovery.

ARTICLE III. All claims shall be measured on a horizontal line, and numbered 1, 2, 3, etc., from discovery claim either way.

ARTICLE IV. If within six months after the adoption of this article, one day's work shall have been done on any one claim, or twelve days' work by any company on their lode in this Mining District, or within six months after location of claims, the ground so claimed shall be deemed as belonging in fee, (except as against the United States), to the owners or their assigns forever, and the same shall not be subject to re-location.

ARTICLE V. Work done or caused to be done by the owner in any tunnel, cut, shaft, water ditch or privilege, in good faith, for the benefit of any claim, shall be considered as done on the claim owned by said person or company.

ARTICLE VI. All claims shall be recorded within ten days after a notice of location shall have been posted thereon, but a notice filed for record in the Recorder's office, shall be considered equivalent to a record.

ARTICLE VII. Claims on gold surface diggings shall be each two hundred feet square.

ARTICLE VIII. Locators on veins of coal or iron shall be entitled to 500 feet, and 500 feet additional for discovery.

ARTICLE IX. No person shall hold more than one claim by location on any one vein or lode; by purchase any number of claims may be held.

ARTICLE X. It shall be the duty of the Recorder, upon satisfactory evidence being given, that the required amount of work has been done, to issue certificate of real estate, upon application being made by the claim-holder or his attorney, with such evidence as he may deem satisfactory, and, further, it shall be the duty of the Recorder to record such certificate on the record books of the district, when required.

ARTICLE XI. All voters at meetings to regulate the mining laws of, shall be claim-holders of, the district.

ARTICLE XII. All meetings for the purpose of elections or changing these laws, must be called by posting written notices in at least three public places in the district, or by publishing the same in a newspaper printed in this Territory, said publication to be made by the Recorder in either case during at least twenty days previous to such meeting, stating the object thereof.

ARTICLE XIII. There shall be a Recorder chosen from among the miners of the district, who shall hold his office during a term of one year, unless a successor be duly elected, which can only be done by a majority of the legal voters present, at a meeting for that purpose; *Provided*, The Recorder is called away, he may appoint a deputy, until a new Recorder may be chosen.

ARTICLE XIV. He shall record all claims presented for that purpose, and be entitled to receive therefor a sum not exceeding one dollar for each separate claim or company; *Provided*, That it shall not be lawful for him to record any claim in conflict with a prior location; he shall endorse on all notices placed on file in his office, the exact time of presentation for record; it shall be the duty, if required by the locator, to furnish each shareholder with a certificate of his claim attested by the seal of his office, for each of which he shall receive the sum of fifty cents; before recording any claim he shall satisfy himself that no rights are infringed.

ARTICLE XV. The Records of all claims located in this district, and heretofore recorded under the laws of the Wasatch Mining District, shall be transcribed into the books of this district; but from the adoption of these laws, such claims shall be subject thereto.

ARTICLE XVI. The Recorder shall keep two series of books, in one of which to record all claims, and in the other all transfers in this district, to be styled Books A, B, and C, of Transfers, and A, B, and C, of Claims, in the former of which he shall place on record all deeds of shares presented for that purpose, for which he shall be entitled to receive a sum not exceeding one dollar in each case. All such records, with the necessary revenue stamps affixed, shall be deemed legal evidence of sale or ownership as the case may be.

ARTICLE XVII. All examinations of the Records shall be made in the presence of the Recorder or his deputy; when relieved the Recorder shall turn all books and papers pertaining to his office to his successor; he shall have a seal, and attest all acknowledgments and certificates made by him; *Provided*, That he may use his private seal until the proper seal of office may be obtained.

ARTICLE XVIII. All records and copies thereof, shall be legal evidence of their contents in all courts of this Territory.

ARTICLE XIX. Certificates of real estate issued by the Recorder, shall be printed on durable paper, and the Recorder shall receive for each the sum of one dollar.

I hereby certify the foregoing to be a true, full and correct copy of the Record now in my office, as found on the Book of the Mountain Lake Mining District.

[SEAL.] EDWIN D. WOOLLEY,

Recorder Salt Lake County, Utah, and Deputy Recorder of Mountain Lake Mining District.

DECEMBER 11, 1875.

MINING LAWS OF MOUNTAIN LAKE MINING DISTRICT, AS AMENDED AT A MINERS' MEETING, HELD IN LITTLE COTTONWOOD CANYON, AUGUST 30TH, 1869, PURSUANT TO 20 DAYS' NOTICE GIVEN BY THE RECORDER.

ARTICLE I.—*Boundaries.* This district shall be known as the Mountain Lake Mining District, and will be bounded as follows: Commencing at the "Hot Springs," near Salt Lake City; thence east to the crest of the Wasatch range of mountains, thence south along said crest to the south line of Salt Lake County; thence west along said county line to the river Jordan; thence along the east bank of said river to a point directly west of said Hot Springs; thence east to the place of beginning.

ARTICLE II. The extent of a claim on any mineral vein shall be two hundred feet along the lode with a width of one hundred feet on either side, including all dips, spurs, depths, widths, offshoots, and variations, and all the mineral therein contained; and priority of location shall determine the ownership of all crosses or other lodes traversing ground claimed under these laws; the discoverer and locator shall be entitled to one claim additional for discovery.

ARTICLE III. All claims shall be measured in a horizontal line, and numbered 1, 2, 3, etc., from discovery claim either way, or taken in company, to any amount not exceeding three thousand feet in length of any vein or lode.

ARTICLE IV. If within three months after this meeting, any claim-holder shall do three days' work on his claim or lode, such claim shall be held good, and thereafter they shall do three days' work every year, until they shall have performed all the work necessary to obtain a patent from the U. S. Government. Any claim-holder failing to comply with this article, their claims shall be subject to relocation, except such claims as have been worked upon, and for which certificates have been given. On motion, six dollars per day was declared to be the standard of each days' work.

ARTICLE V. Work done or caused to be done on any tunnel, cut, shaft, water ditch or privilege, in good faith, for the benefit of any claim, shall be considered as done on the claim owned by such person or company.

ARTICLE VI. All claims shall be recorded within ten days after a notice of location shall have been posted thereon, but a notice filed with the Recorder shall be considered equivalent to a Record.

ARTICLE VII. Claims on gold surface diggings shall be each two hundred feet square.

ARTICLE VIII. Locators on veins of coal or iron shall be entitled to 500 feet square, and 500 feet additional for discovery.

ARTICLE IX. No person shall hold more than one claim on any one lode vein by location; by purchase any number of claims may be held.

ARTICLE X. It shall be the duty of the Recorder, upon satisfactory evidence being given, that the required amount of work has been done, to issue certificates of real estate, upon application being made by the claim-holder or his attorney, with such evidence as he may deem satisfactory, and, further, it shall be the duty of the Recorder to record such certificates on the record books of the district when required.

ARTICLE XI. All voters at meetings to regulate mining laws, shall be claim-holders in the district.

ARTICLE XII. All meetings for the purpose of election or changing these laws, must be called by posting written notices in at least three public places in the district, and by publishing the same in a newspaper in the District, said publication to be made in either case by the Recorder during at least twenty days previous to such meeting, stating the object thereof.

ARTICLE XIII. There shall be a Recorder chosen from among the miners of the district, who shall hold his office during a term of one year, or until his successor shall be duly elected, which can only be done by a majority of the legal voters present at a meeting for that purpose; *Provided*, The Recorder is called away, he has the power to appoint a deputy, until a new Recorder may be chosen.

ARTICLE XIV. He shall record all claims presented for that purpose, and be entitled to receive therefor a sum not exceeding one dollar for each claim or company; *Provided*, That it shall not be lawful for him to record any claim in conflict with a prior location; he shall endorse on all notices placed on file in his office, the exact time of presentation for record; it shall be his duty, if required by the locator, to furnish each shareholder with a certificate of his claim, attested by the seal of his office, for each of which he shall receive the sum of fifty cents; before recording a claim he shall satisfy himself that no rights are infringed.

ARTICLE XV. The Records of all claims located in this district, and heretofore recorded under the laws of the Wasatch Mining District, shall be transcribed into the books of this district; but from the date of the adoption of such laws, such claims shall be subject thereto.

ARTICLE XVI. The Recorder shall keep two series of books, in one of which to record all locations, and in the other all transfers, to be styled Book A, B, and C, of claims, and Book A, B, and C, of Transfers, in the latter of which he shall place on record all deeds of shares presented for that purpose, for which he shall receive the sum of one dollar for each. All such records, with the necessary stamp affixed, shall be deemed legal evidence of sale or ownership as the case may be.

ARTICLE XVII. All examinations of Records shall be made in the presence of the Recorder or his deputy; when relieved the Recorder shall turn over all books and papers to his successor.

ARTICLE XVIII. All records and copies thereof, shall be legal evidence of their contents in all courts in this Territory.

ARTICLE XIX. Certificates of real estate issued by the Recorder, shall be printed on durable paper, and the Recorder shall receive for each the sum of one dollar.

On motion, Article 20 was added to the By-Laws, which is as follows:

ARTICLE XX. Provided any number of miners not less than six think it necessary to call a special meeting, the Recorder may call such meeting by giving four days' notice, to transact any or all business not mentioned in Article 12. Notice of which shall be posted in four public places in the district.

On motion, all claims located prior to this date that have not been worked upon according to law, are subject to relocation.

On motion, James Wall was re-elected Recorder for the ensuing year.

On motion, meeting adjourned *sine die.*

(Signed) JOSEPH S. WING, *Chairman.*

C. L. HAINES, *Secretary.*

JAMES WALL, *Recorder.*

LITTLE COTTONWOOD CANON, *August* 30, 1869.

Names of miners present at said meeting.

O. P. ROCKWELL,	ISADOR MORRIS,	G. VON SCHOONHOVER,
H. P. KIMBALL,	J. FLETCHER,	GEO. WOOD,
THOS. JENKINS,	JACKSON JONES,	S. D. SIRRINE,
CHAS. CRISMON,	WILLIAM REED,	E. ROGERS,
THOS. SHOWELL,	J. EDDINS,	ALBERT REIS,
JAS. LAWSON,	H. C. LINCOLN,	A. TARBERT,
H. J. FAUST,	THOS. WILLIAMS,	J. BERNARD,
W. H. RAGER,	JOHN J. GREENE,	R. GILL,
W. D. FULLER,	B. F. DEWEY,	E. CHAMBERS.
B. REDELL,	JAS. LAWRENCE,	
ED. LAVALLE,	OREN ROCKWELL,	

I hereby certify that the foregoing is a true and correct copy of the By-Laws of the Mountain Lake Mining District, as recorded in the Mining Records of said Mountain Lake Mining District, with the amendments thereto.

SALT LAKE CITY, *Oct. 25th*, 1870.

JAMES WALL, *Recorder.*

I hereby certify the foregoing to be a true, full and correct copy of the Record now in my office, as found on the Book of the Mountain Lake Mining District.

[SEAL.] EDWIN D. WOOLLEY,

Recorder Salt Lake County, Utah, and Deputy Recorder of Mountain Lake Mining District.

DECEMBER 11, 1875.

IRON COUNTY.—PINTO IRON MINING DISTRICT.

BYE LAWS AND OTHER MATTERS OF THE PINTO IRON MINING DISTRICT, IRON COUNTY UTAH TERRITORY.

At a Meeting of Miners, at the Hulse House Iron County, Utah Territory May 26th 1868,

On motion of Seth. M Blair said Miners proceeded to organize a Mining District, by electing Ebenezar Hanks President Seth M Blair Recorder, and Peter Shirts, Robert Richey, and Chapman Duncan Directors.

Whereupon said Miners adopted the following Constitution and Bye Laws for said District (bounded as follows, viz, the boundaries here decribed were afterwards changed, so I insert the corrected ones at the close)

CONSTITUTION

ARTICLE 1st. Said District shall be known as the Pinto Iron Mining District

ART 2nd. The Officers of said district shall consist of a President a Recorder and three Directors, who shall be chosen by the Miners of said District, and whose term of Office shall be (2) two years, or until their successors shall be elected and qualified, as the Laws of the District may prescribe,

ART 3rd The Miners of said District, shall have power to make such Laws, for the Government of said District not conflicting with the Laws of Congress or with the Statutes of the Territory of Utah as they may deem proper to develope the Mineral Leades or Lodes of said District and to protect the Miner in the same,

ART 4th A claim on a Leade or Lode in said District shall be as defined by the Act of Congress approved July 26th 1866.

ART 5th A person to constitute a Miner must own and work a claim either in person or by proxey in said District as the Law directs

ART 6th All persons with the qualifications as described in Article 5th shall be entitled to a Seat in the Law making department of the District,

ART 7th—It shall be the duty of the President of the District to preside at all public Meetings assembly's of the Miners when legally assembled in said District with the assistance of one or more of the Directors as Vice Presidents

ART 8th—The duty of the Directors shall be the President presiding to decide all litigated claims between the Miners in said District touching the discovery Location, and the recording of claims in the same and to preside over legal assemblies in the absence of the President, and in case of a vacancy from any cause in the office of the President any two of the Directors shall have power to Act as President until a successor shall be elected and qualified as the Law may direct

ART 9th Legal Assemblys of the Miners of said District may be had on the petition of a respectable number of Miners to the President or Directors who shall order the same by publication or Notice ten days previous to the Meeting and an Assembly may be called by the President and Directors at time by giving proper Notice of the same as the Law may direct,

ART 10th There shall be elected at the same time and place that the President and Directors are elected a Recorder for the District whose term of office shall be (2) two years and until his successor shall be elected and qualified whose duty it shall be to keep a true and faithful record of all legal Assemblies of the Miners of said District and record all claims on mineral Leades or Lodes in said District that shall be presented to him for record, provided the same has not been filed or recorded in his office.

ART 11th The President shall have power to appoint a Recorder until one shall be regularly elected,

ART 12th It shall not be lawful for any person to hold an office in this District unless he shall be a resident of the District and owns and works a claim provided nevertheless he may be represented by proxy as the Law may direct,

ART 13th No Law shall be valid in this District that will impair the rights of a Miner a resident to his claim provided said miner is using his best endeavours to develope the Mineral resources of the District

ART 14th Elections shall be held to elect the officers of said District as the Law may direct provided that the first election shall be held on the 18th day of June 1871, at such place in the District as the President of the District may Direct who shall appoint Judges to

hold the same, who may appoint their own Clerk, who shall give a certificate of election to the person receiving the highest number of votes for each office which shall be signed by the Judges of the election and be the Authority for said persons to Act in his said office

ART 15th Voting shall be done by Viva-Voce at elections in this District,

The foregoing Articles of a Constitution were adopted on the day and date above written and on motion of Chapman Duncan it was resolved that the same be signed by E Hanks President of the District and certified to by S M Blair Recorder of the District (carried)

(Signed) EBENEZAR HANKS, *President*

I S M Blair the undersigned Recorder of the Pinto Iron District do hereby certify that the foregoing Articles containing a Constitution for the aforesaid District was adopted by the miners of said District May 26th 1868 as Witness my hand day and date above written

S M BLAIR, *Recorder*

Know all men by these presents that Ebenzear Hanks President of the Pinto Iron District Iron County Utah Territory, reposing special confidence in the integrity, ability and fidelity of Seth M Blair, do by virtue of the authority invested in me by the Constitution of the Pinto Iron District appoint the said Seth M Blair, Recorder of said District with full power to do and perform all Acts required of Him as Recorder by the Laws of the District, until a Recorder shall be elected and qualified as contemplated by the Laws of said District

Done in the aforesaid District this May 26th 1868, as witness my hand

EBENEZAR HANKS *President*

Attested

PETER SHIRTS *Director*

CHAPMAN DUNCAN *Directors Agt*,

BYE LAWS OF THE PINTO IRON DISTRICT, U. T.

SECTION 1—All Discoveries and locations on any leads or Lodes in said District for mining purposes to be valid shall be recorded and an application for record of said discovery and location shall be filed with the Recorder within 20 days from the date of the discovery or location.

SEC 2nd All leades or lodes shall be known by or designated by a name and no two leades or lodes shall bear the same name in the District

SEC 3rd All discoveries and locations made on any leade or lode as above provided by any person shall have a suitable mound or mark placed on or near them to designate their location with a Notice of the fact that the party or person have located the same for mining purposes giving in said Notice the name of the Ledge or lode with the day and date of location and the number of feet claimed,

SEC 4th It shall be sufficient in law for a person or persons locating or discovering claims to say said claim runs so many feet viz the extent of the claim from the Notice on said lode or leade as the discovery shall designate for quantity

SEC 5th Claims located on leades or lodes after the discovery claim shall be known as extentions and shall be numbered by the locator from the discovery claim numerically, with the distance and as near as may be the course,

SEC 6th Repealed July 31st 1871,

SEC 7th The transfer of a mining claim in this District shall be acknowledged before the Recorder of the District and by him recorded before the same shall be valid

SEC 8th. The Recorder of this District shall be allowed two dollars for recording each claim and two dollars for taking the acknowledgement of a transfer and the recording of the same and one dollar for fileing an application for record for each claim.

SEC 9th No forfeiture of a claim and leade or lode in this District shall be recognized as legal through the neglect of the Officers to properly discharge their duties provided the miner can prove up his claim before the Recorder by two Witnesses he shall hold the same if a citizen of the District or represented as the Constitution prescribes,

SEC 10th 100, One hundred feet shall be allowed on each side of every leade or lode of mineral located for mineing purposes in this District, for dumping dirt and debris on or in other words for space or room to work said leade or lodes, Be it further enacted that the Recorder of this district shall not record a claim within 100 one hundred feet of any leade or lode filed for record or recorded in this District unless the applicant can prove to the satisfaction of the Recorder that he has discovered a sepperate and a well defined leade or lode within the distance of one hundred feet (100) of a recorded one, when it shall be the duty of the Recorder to record the same as other claims,

SEC 11th Claims for water for mining purposes in this District shall be designated by meetes and bounds and recorded as other mining claims

SEC 12th Any person who shall remove alter deface or molest in any manner whatever any mound stake mark or notice placed on any leade or lode of mineral or water claim in this District shall forfeit all rights as a Miner and shall be forever disqualified to hold any office of honor or trust or vote in said District,

SEC 13th The President and any one of the Directors shall constitute a Court to try all Miners for offences against the laws of the District Who upon a complaint of one Miner against another shall under the hand of the Court issue a citation to be served by the Plaintiff on the Defendant to be and appear before said Court at the time and place designated to answer Plaintiffs complaint in default of which the Court shall give judgement in favor of the plaintiff with cost, and enforce the same as the Court may deem proper, by appointing an officer of the Court to enforce its judgements

SEC 14th The right of appeal from said Miners Court shall be to the Miners of the District in Mass Meeting assembled, whose decission shall be final,

SEC 15th All proceedings of the Miners of this District shall be signed by the President of the District or in his absence by any two (2) of the directors and be certified to by the Recorder,

EBENEZAR HANKS
President Pinto Iron District.

Witnessed

PETER SHIRTS *Director*

CHAPEM DUNCAN *Agt*

I certify the foregoing Laws for the government of the Pinto Iron District is correct as passed by the miners of said District

In testimony whereof I hereunto set my hand this May 26th 1868

S M BLAIR
Recorder Pinto Iron District.

IRON CITY U T *July 31st* 1871

Agreeable to a notice published for a Miners Meeting of the Pinto Iron Mining District to be held this day at Iron City the Miners of said District met at the P. O. in said place, and proceeded to business by calling Ebenezar Hanks to the chair and Louis Fisher to Act as Secretary of the Meeting upon motion of S M Blair seconded by Chapman Duncan a committee of five were appointed by the chair to revise and report to the Meeting any amendment of Laws nescessary in their opinion for to protect the mining interests of the District and develope the same the chair appointed and the committee retired to make their report which was put before the Meeting of the Miners of the District and the following Acts and Sections were passed,

ACT 1 *Be it further ordained* that Section Sixth of the bye Laws of this District passed May 26th 1868 is hereby repealed,

SECTION 1 *Be it further ordained* that when the Miners of this District failed to elect a Recorder of the District on the 18th day of June 1871 as provided for in Article 14th of the Constitution of this District that they proceed to elect one this day who shall hold his office until June 12th 1873, and that Said Recorder shall have power, and is hereby vested with Authority to appoint a Deputy, who shall be answerable to the Recorder for his Acts, and qualify as the Law shall require the Recorder to do,

SEC 2nd *Be it further ordained* that before the Recorder of the District shall Act, he shall take and subscribe an oath of Office before a Justice or other Ministerial Officer swearing or affirming that he will faithfully discharge the duties of Recorder and faithfully observe and execute the Laws of the District pertaining to his office, and the Laws of the Territory and of the United States touching the mining interests thereof which oath of Office shall be filed with the Justice of the Peace or other Ministerial Officer before whom the oath may be taken and a copy thereof spread on the Journals or proceedings of this Meeting,

SEC 3rd *Be it further ordained* that the proceedings of this meeting be filed with the Recorder who shall securely preserve the same

SEC 4th Whereas the Government of the United States in its wisdom has deemed it right and proper to offer as a bonas or reward of 200 feet two hundred feet to any Citizen to discover any lode ledge or lode of rock being gold silver or cinnibar in place, therefore be it ordained that all discovery claims on any leades lodes ledges or deposits not to exceed 200 feet in length and breadth in this District is hereby declared real estate and not subject to forfeiture by any local law or custom

SEC 5th *Be it further ordained* that when any individual or company Incorporate or private who shall sink three feet annually until $1000 worth of work consecutively shall be done on any lode ledge leade or deposit in this District owned by them, or any lode ledge leade or deposit or mining claim the same shall and is hereby declared (then) to be real estate and shall not be liable to forfeiture by any local Laws or customs,

SEC 6th *Be it further ordained* that a water claim in this District located for Mill purposes where there are no prior rights required and the water on said claim be turned or diverted from its natural channel or course for mining purposes the same is hereby declared real estate and not subject to forfeiture by any local laws or customs,

SEC 7th *Be it further ordained* that in addition to the duties of the Recorder as specified in the Constitution and bye laws of this District that it shall be his duty to post a notice of the election of Recorder 20 days previous to said election in two or more public places in the District previous to said election day. I shall be further the duties of the Recorder to call a Meeting on the petition of a respectable number of the Miners of the District at any time by giving 10 days Notice of the same giving time and place of said Meeting in at least two notices posted in said District, It shall be the duty of the Recorder to give a certificate of a location recorded for the sum of fifty cents

SEC 8th *Be it further ordained* that the acts and doings of S M Blair as Recorder of the Pinto Iron Mining District be accepted ratified and confirmed by this Meeting

SEC 9th *Be it further ordained* that any person discovering and locating Iron deposits coal lead or zinc and having the same surveyed by the Co Surveyor of the County of Iron and recorded by the Co Recorder shall have the same validity as if Recorded by the District Recorder

SEC 10th *Be it further ordained* that it shall not be lawful at any time for the miners of the District to pass any ordinance or Laws affecting the validity of the ownership or title of any miner or claimant of feet in this District acquired previous to this date under the laws of this District or that shall be acquired under the Laws passed this day

SEC 11th *Be it further ordained* that the proceedings of this Meeting be signed by the President of the Meeting and the Secretary and certified to by the Recorder,

SEC 12 *Be it further ordained* that all locations and claims recorded in the future in this District by the Recorder shall be recorded in a New Book and called and marked Book B and that the locations or claims recorded in the present Record or Book A be coppied into Book B and that the Recorder of this District shall be allowed twenty five cents for copying each claim recorded in Book A into Book B,

SEC 13 *Be it ordained* that the boundary of this Pinto Iron Mining District is altered and the following boundary declared to be the legal boundary of this District, To Wit: Beginning at the crossing of the road on the Desert at the Mouth of the Pinto's thence South 3 Miles, thence East to Big Pinto thence up the same to Colemans herd house thence up the left hand fork of the Pinto to the to the dividing ridge or mountain between waters of Pinto and Ash Creek, thence along said mountain to where the road from Harmony to Iron City crosses the same thence to Duncans Ranch thence North West to Oak Springs gulch thence down the gulch to the road between Iron Springs and Antelope thence along said road to Antelope thence to begining point following the old California road, and the Article before said describing the boundary of the District be repealed,

EBENZAR HANKS *President*

Attested

LOUIS FISHER *Secretary*

I hereby certify the foregoing Laws for the Government of the Pinto Iron Mining District is correct as passed by the Miners of this District

In testimony whereof I hereunto set my hand this July 31st 1871

LOUIS FISHER
Recorder Pinto Iron Mining District

I hereby certify that the foregoing is a true and correct copy of the Minutes, Constitution and Bye Laws of this District as far as I have received them from my predecessors as recorded in the Journal of the Pinto Iron Mining District

EVAN EDDARDS *Recorder*

SALT LAKE COUNTY.—LITTLE COTTONWOOD MINING DISTRICT.

BY-LAWS

[In force from 15th Aug., 1868, to Sept. 20th, 1869.]

ARTICLE 1st. This District shall be called the "Cottonwoods Lake Mining District," and shall be bounded as follows: Commencing at the entrance of Little Cottonwood Canon and running three miles south; thence easterly to the road running between between Provo Valley and Webber; thence northerly ten miles; thence westerly to place of beginning.

ART. 2nd. The Record Books shall be kept within the limits of the said District, and shall be open for inspection.

ART. 3rd. That no person or company of persons shall be entitled to hold more than 200 feet as discovery of a lode, nor more than 200 feet for each person located, and the number of feet in all not to exceed forty-two hundred feet.

ART. 4th. All claims shall be recorded within twenty days after location, and a blazed tree, stake, or board, shall designate the name of lode and the amount of ground claimed by the pre-emptors of the ledge, unless the parties hold the ground by constant labor thereon.

ART. 5th. Each lode shall be represented every year by twenty-five dollars' worth of labor actually performed on it; or else it will be considered abandoned, and be open for relocation, unless it can be shown to the satisfaction of the Recorder, that $1,000 worth of work has been performed, or patent taken for same.

ART. 6th. The Recorder's fees shall be fifty cents for each name put on record, and fifty cents for each abstract of ledge or part thereof, certified to by the Recorder.

ART. 7th. Ten days' notice shall be given in writing, and placed in three separate places in the District, previous to any meeting for the revisions of the laws, and it shall require a two-thirds vote to alter the same.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John McDonald, being duly sworn, deposes and says: That he is the Mining Recorder of Little Cottonwood Mining District, in the county of Salt Lake, in the Territory of Utah; that he has now in his possession and under his control, the mining records of the said mining District; that the above and foregoing is a full, true and correct copy of the By-Laws, rules, regulations, and customs, of the miners of the "Cottonwoods Lake Mining District," in the Territory aforesaid (the aforesaid Cottonwoods Lake Mining District, comprising the mining District now known under the name of the "Little Cottonwood Mining District," aforesaid), in force therein from the fifteenth (15th) day of August, A. D., one thousand eight hundred and sixty-eight (1868), the date of the organization of the said "Cottonwoods Lake Mining District," until the twentieth (20th) day of September, A. D., one thousand eight hundred and sixty-nine (1869), as the same appears of record in the mining records of said Little Cottonwood Mining District, now in my possession, and under my control, as aforesaid.

Witness my hand this first (1st) day of December, A. D. 1873.

JOHN McDONALD, *Recorder.*

Subscribed and sworn to before me, this first (1st) day of December, A. D. 1873.

[SEAL.] J. A. VARNES, *Notary Public.*

BY-LAWS OF LITTLE COTTONWOOD MINING DISTRICT.

[In force from 20th Sep., 1869, to June 2d, 1870.]

ARTICLE 1st. This District shall be known by the name of "Little Cottonwood Mining District," and is bounded as follows, to-wit: Beginning at the Toll-Gate near the entrance to Little Cottonwood Canon, and running south to the summit of the mountain; thence easterly along the summit to the centre of divide, between Big Cottonwood and Little Cottonwood Canons; thence northerly along the summit to the centre of the mountain on the north side of the Canon; thence westerly along the summit to a point due north of Toll-Gate; thence southerly to point of beginning.

ART. 2d. There shall be an officer for said District to be called the Recorder, who shall be elected on the third Monday in August, by the Miners of the District at their annual meeting.

ART. 3d. The Recorder shall procure and keep a substantially bound book, to be called the "Book of Location," in which he shall record all notices of location claims, whether for mining or other purposes, connected therewith.

ART. 4th. He shall carefully keep and preserve all original papers filed with him for record, and deliver them, upon proper demand, to the person or persons entitled to receive the same, and faithfully do and perform all other acts and duties required of him by these laws.

ART. 5th. The Recorder shall hold office for one (1) year, or until his successor is duly elected; *Provided*, however, that he may be removed at any time, for misconduct in office, or neglect of duty as prescribed by the laws of this District.

ART. 6th. The Record Books shall be kept within the limits of the District, and shall be kept open during business hours for examination and inspection.

ART. 7th. The Recorder may appoint a Deputy under him for whose official acts he shall be held responsible.

ART. 8th. He shall note upon the back of each notice of location, or other instrument, filed for record, the day and hour of filing thereof; and such instrument shall be deemed recorded from and after the date of such filing for record.

ART. 9th. When a claim shall have been located and recorded, he shall, upon request, make and deliver to the claimant, his agent or attorney, a certificate of such location and record, over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

ART. 10th. All examinations of the Record Books must be made in the presence of the Recorder or his Deputy, and when his term of office shall expire, the Recorder shall turn over to his successor all books, papers, and other property pertaining to his office.

ART. 11th. The Recorder shall be authorized to demand and receive for his services the following fees, to-wit: One ($1.00) dollar for each lode recorded; fifty cents (50 cts) for each official certificate; and one ($1.00) dollar each for deeds, powers of attorney, or bills of sale.

ART. 12th. No person or company of persons shall be entitled to hold more than two hundred (200) feet as discovery of a lode, nor more than two hundred feet for each person located, and the number of feet in all shall not exceed three thousand (3000) feet. The surface width requisite for mining or milling purposes or for the convenient working of the same, shall not exceed fifty (50) feet on each side of the walls of said vein or lode.

ART. 13th. All claims shall be recorded within twenty days after location, and a blazed tree, stake or board shall designate the name of lode, and the amount of ground claimed by the locators of the ledge, unless the parties shall hold the same by constant labor thereon.

ART. 14th. Each lode shall be represented every year by twenty-five dollars ($25.00) worth of labor actually performed thereon, otherwise it will be considered abandoned and be open for relocation, unless it can be shown to the satisfaction of the Recorder that one thousand ($1000) dollars worth of labor has been performed or a patent taken for the same. In case of any dispute arising in regard to the amount of labor performed, three disinterested miners shall be selected to decide the question.

ART. 15th. Any person or persons may locate a tunnel by posting at the point of commencement a notice such as is required in the location of a lode, specifying the name or names of the person or persons, claiming the right, the course such tunnel is intended to run, the lode or lodes it is intended to work, and by filing for record a similar notice in the Recorder's office. Labor shall be peformed thereon the same as required for holding a lode.

ART. 16th. No person shall be entitled to vote at any meeting of miners unless he owns a *bona fide* interest in a mining claim in this District.

ART. 17th. The By-laws of this District may be repealed, revised or amended at any regular meeting that may be duly called by ten (10) or more *bona fide* claim-holders in said District.

ART. 18th. Ten days' notice shall be given in writing and posted in three separate places in the District, previous to any meeting for a revision of the laws, and it shall require a two-thirds vote to alter the same.

ART. 19th. All laws or parts of laws in this District, conflicting with these laws, or with any of the mining laws of the United States are hereby repealed.

ART 20th. These laws shall take effect and be in force from and after their passage.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John McDonald, being duly sworn, deposes and says: That he is the Mining Recorder of Little Cottonwood Mining District, in the county of Salt Lake, in the Territory of Utah; that he has now in his possession and under his control, the mining records of the said mining District; that the above and foregoing is a full, true and correct copy of the By-Laws, rules, regulations, and customs, of the miners of said Mining District, established and in force therein from the twentieth (20th) day of September, A. D., one thousand eight hundred and sixty-nine (1869), until the second (2d) day of June, A. D., one thousand eight hunded and seventy (1870), as the same appears of record in the mining records of said Mining District, now in my possession, and under my control, as aforesaid.

Witness my hand this first day of December, A. D. 1873.

JOHN McDONALD, *Recorder.*

Subscribed and sworn to before me, this 1st day of December, A. D. 1873.

[SEAL.] J. A. VARNES, *Notary Public.*

BY-LAWS OF LITTLE COTTONWOOD MINING DISTRICT.

[In force from 2d June, 1870, to 8th June, 1872.]

ARTICLE 1st. This District shall be known by the name of "Little Cottonwood Mining District," and is bounded as follows, to-wit: Beginning at the Toll-Gate near the entrance to Little Cottonwood Canon, and running south to the summit of the mountain; thence easterly along the summit to the centre of divide, between Big Cottonwood and Little Cottonwood Canons; thence northerly along the summit to the centre of the mountain on the north side of the Canon; thence westerly along the summit to a point due north of Toll-Gate; thence southerly to point of beginning.

ART. 2d. There shall be an officer for said District to be called the Recorder, who shall be elected on the third Monday in August, by the Miners of the District at their annual meeting.

ART. 3d. The Recorder shall procure and keep a substantially bound book, to be called the "Book of Location," in which he shall record all notices of location claims, whether for mining or other purposes, connected therewith.

ART. 4th. He shall carefully keep and preserve all original papers filed with him for record, and deliver them, upon proper demand, to the person or persons entitled to receive the same, and faithfully do and perform all other acts and duties required of him by these laws.

ART. 5th. The Recorder shall hold office for one (1) year, or until his successor is duly elected; *Provided*, however, that he may be removed at any time, for misconduct in office, or neglect of duty as prescribed by the laws of this District.

ART. 6th. The Record Books shall be kept within the limits of the District, and shall be kept open during business hours for examination and inspection.

ART. 7th. The Recorder may appoint a Deputy under him for whose official acts he shall be held responsible.

ART. 8th. He shall note upon the back of each notice of location, or other instrument, filed for record, the day and hour of filing thereof; and such instruments shall be deemed recorded from and after the date of such filing for record.

ART. 9th. When a claim shall have been located and recorded, he shall, upon request, make and deliver to the claimant, his agent or attorney, a certificate of such location and record, over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

ART. 10th. All examinations of the Record Books must be made in the presence of the Recorder or his Deputy, and when his term of office shall expire, the Recorder shall turn over to his successor all books, papers, and other property pertaining to his office.

ART. 11th. The Recorder shall be authorized to demand and receive for his services the following fees, to-wit: For each lode recorded, by any person or company of persons, $3.00; for each claim otherwise recorded, 50 cents; for each official certificate, 50 cents; for each deed, power of attorney, or bill of sale, $1.00.

ART. 12th. No person or company of persons shall be entitled to hold more than two hundred (200) feet as discovery of a lode, nor more than two hundred feet for each person located, and the number of feet in all shall not exceed three thousand (3000) feet. The surface width requisite for mining or milling purposes or for the convenient working of the same, shall not exceed fifty (50) feet on each side of the walls of said vein or lode. When it may become necessary for mining or milling purposes that an appurtenant or adjacent tract is requisite, the same shall not exceed in its limits a space four hundred feet (400) long by three hundred (300) feet in width; and such tract may be situated at the nearest available point within the limits of the District; *provided*, the same shall not be distant more than one-half (½) mile from said vein or lode.

ART. 13th. All claims shall be recorded within twenty days after location, and a blazed tree, stake or board shall designate the name of lode, and the amount of ground claimed by the locators of the ledge, unless the parties shall hold the same by constant labor thereon.

ART. 14th. Each lode shall be represented every year by twenty-five dollars ($25.00) worth of labor actually performed thereon, otherwise it will be considered abandoned and be open for relocation, unless it can be shown to the satisfaction of the Recorder that one thousand ($1000) dollars worth of labor has been performed or a patent taken for the same. In case of any dispute arising in regard to the amount of labor performed, three disinterested miners shall be selected to decide the question. In making a record of locations of any claim the same shall be definitely described with reference to some natural or artificial monument.

ART. 15th. Any person or persons may locate a tunnel by posting at the point of commencement a notice such as is required in the location of a lode, specifying the name or names of the person or persons, claiming the right, the course such tunnel is intended to run, the lode or lodes it is intended to work, and by filing for record a similar notice in the Recorder's office. Labor shall be performed thereon the same as required for holding a lode.

ART. 16th. No person shall be entitled to vote at any meeting of miners unless he owns a *bona fide* interest in a mining claim in this District.

ART. 17th. The By-laws of this District may be repealed, revised or amended at any regular meeting that may be duly called by ten (10) or more *bona fide* claim-holders in said District.

ART. 18th. Ten days' notice shall be given in writing and posted in three separate places in the District, previous to any meeting for a revision of the laws, and special meetings may be called in the same manner.

ART. 19th. All laws or parts of laws in this District, conflicting with these laws, or with any of the mining laws of the United States are hereby repealed.

ART 20th. These laws shall take effect and be in force from and after their passage.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John McDonald, being duly sworn, deposes and says: That he is the Mining Recorder of Little Cottonwood Mining District, in the county of Salt Lake, in the Territory of Utah; that he has now in his possession and under his control, the mining records of the said mining District; that the above and foregoing is a full, true and correct copy of the By-Laws, rules, regulations, and customs, of the miners of said Mining District, established and in force therein from the second (2d) day of June, A. D., one thousand eight hundred and seventy (1870), until the eighth (8th) day of June, A. D., one thousand eight hundred and seventy-two (1872), as the same appears of record in the mining records of said Mining District, now in my possession, and under my control, as aforesaid.

Witness my hand this first (1st) day of December, A. D. 1873.

JOHN McDONALD, *Recorder.*

Subscribed and sworn to before me this 1st day of December, A. D. 1873.

[SEAL.] J. A. VARNES, *Notary Public.*

BY-LAWS OF LITTLE COTTONWOOD MINING DISTRICT.

[In force from 8th June, 1872.]

ARTICLE 1st. This District shall be known by the name of "Little Cottonwood Mining District," and is bounded as follows, to-wit: Beginning at the Toll-Gate near the entrance to Little Cottonwood Canon, and running south to the summit of the mountain; thence easterly along the summit to the centre of divide, between Big Cottonwood and Little Cottonwood Canons; thence northerly along the summit to the centre of the mountain on the north side of the Canon; thence westerly along the summit to a point due north of Toll-Gate; thence southerly to point of beginning.

ART. 2d. There shall an annual meeting of the miners of the District, held on the third Monday in August of each year, for the purpose of electing a Recorder for the District.

ART. 3d. The Recorder shall procure and keep a substantially bound book, to be called the "Book of Location," in which he shall record all notices of location claims, whether for mining or other purposes, connected therewith.

ART. 4th. He shall carefully keep and preserve all original papers filed with him for record, and deliver them, upon proper demand, to the person or persons entitled to receive the same, and faithfully do and perform all other acts and duties required of him by these laws.

ART. 5th. The Recorder shall hold office for one (1) year, or until his successor is duly elected; *Provided*, however, that he may be removed at any time, for misconduct in office, or neglect of duty as prescribed by the laws of this District.

ART. 6th. The Record Books shall be kept within the limits of the District, and shall be kept open during business hours for examination and inspection.

ART. 7th. The Recorder may appoint a Deputy under him for whose official acts he shall be held responsible.

ART. 8th. He shall note upon the back of each notice of location, or other instrument, filed for record, the day and hour of filing thereof; and such instruments shall be deemed recorded from and after the date of such filing for record.

ART. 9th. When a claim shall have been located and recorded, he shall, upon request, make and deliver to the claimant, his agent or attorney, a certificate of such location and record, over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

ART. 10th. All examinations of the Record Books must be made in the presence of the Recorder or his Deputy, and when his term of office shall expire, the Recorder shall turn over to his successor all books, papers, and other property pertaining to his office.

ART. 11th. The Recorder shall be authorized to demand and receive for his services the following fees, to-wit: For each claim or tunnel recorded, by any person or company of persons, $3.00; for each deed, power of attorney, or bill of sale, $2.00; for each transcript or official certificate, $1.00.

ART 12th. A mining claim, whether located by one or more persons, may equal, but shall not exceed, fifteen hundred feet in length along the vein or lode; but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than fifty feet on each side of the middle of the vein at the surface, nor shall any claim be limited to less than fifty feet, except where adverse rights existing at the adoption of this By-law, shall render such limitation necessary. When it may become necessary for building or other purposes that an appurtenant or adjacent tract is requisite, the same shall not exceed in its limits a space three hundred feet square, and such tract may be situated at the nearest available point within the limits of the District.

ART. 13th. Locations of claims or tunnels shall be made by posting on a tree, substantial stake or monument at the point of commencement, a legible notice, stating the date of location, the number of feet in length of the claim or tunnel, the number of feet each way from notice, both in length and width, its course, and the name or names of the person or persons making the location; and such notice shall so describe such location, that its boundaries can be readily traced on the surface. All records of locations shall contain such a description of the claim or tunnel located by reference to some natural object or permanent monument, as will identify the same. All locations, whether of claims or tunnels, shall be recorded within twenty days after location, unless the locators shall hold the same by constant labor thereon; otherwise the ground shall be considered abandoned.

ART. 14th. On each claim located, not less than one hundred dollars worth of labor shall be performed or improvements made during each year, until a patent shall be issued therefor; a failure to comply with this requirement, shall be deemed equivalent to an abandonment of the claim, and render the same subject to relocation. On each tunnel there shall be performed each year, at least one hundred dollars worth of labor, and a failure to prosecute the work for a period of six-months, shall be considered as an abandonment of the right to all undiscovered veins or lodes on the line of said Tunnel. All cases of dispute arising in regard to mining claims, shall be referred to a board of arbitration, consisting of five disinterested claim-holders, selected by the miners of the District, at a special meeting called for that purpose.

ART. 15th. Any person or persons shall have the right to locate, for mining purposes, any ledge, lode or deposit, and work the same through and by means of a tunnel, and any work done on such tunnel claim, shall be considered as work done on the whole claim or location.

ART. 16th. No person shall be entitled to vote at any meeting of miners unless he owns a *bona fide* interest in a mining claim in this District.

ART. 17th. The By-laws of this District may be repealed, revised or amended, at any meeting that may be duly called by fifty or more *bona fide* claim-holders in the District; and it shall require twenty-five *bona-fide* claim-holders in the district, to constitute a quorum at such meeting.

ART. 18th. It shall be the duty of the Recorder, previous to any meeting for a revision of the By-laws, to give at least ten days' notice of the same, by posting notice of said meeting in three conspicuous places in the District, and to publish said notice for at least five days in a daily newspaper published in Salt Lake county; it shall be his further duty, at the written request of not less than five *bona-fide* claim-holders of the District, to issue a call for any special meeting, by giving at least five days notice, and posting the same in three conspicuous places in the District, stating the time and place of meeting, and the object for which such meeting is called. At said meeting no business shall be transacted other than that specified and named in the call.

ART. 19th. All laws or parts of laws in this District, conflicting with these laws, or with any of the mining laws of the United States, are hereby repealed.

ART 20th. These laws shall take effect and be in force from and after their passage.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John McDonald, being duly sworn, deposes and says: That he is the Mining Recorder of Little Cottonwood Mining District, in the county of Salt Lake, in the Territory of Utah; that he has now in his possession and under his control, the mining records of the said mining District; that the above and foregoing is a full, true and correct copy of the By-Laws, rules, regulations, and customs, of the miners of said Mining District, established and in force therein from the eighth (8th) day of June, A. D., one thousand eight hundred and seventy-two (1872), the same being the By-laws, rules, relulations, and customs, in force in said Mining District, at the present time, as the same appears of record in the mining records of said Mining District, now in my possession, and under my control, as aforesaid.

Witness my hand this first (1st) day of December, A. D. 1873.

JOHN McDONALD, *Recorder.*

Subscribed and sworn to before me, this 1st day of December, A. D. 1873.

[SEAL.] J. A. VARNES, *Notary Public.*

SALT LAKE COUNTY.—BIG COTTONWOOD MINING DISTRICT.

BY-LAWS OF BIG COTTONWOOD MINING DISTRICT. MARCH 17TH, 1870, BIG COTTONWOOD CANON.

[This is the exhibit referred to in the annexed affidavit of John C. Kerr, marked "Exhibit A," sworn to before me this 24th day of November, 1873. A. S. GOULD, *Notary Public.*]

Bounded and described as follows: Commencing at the Toll Gate, running along the base of the Mountains north to the mouth of Mill Creek Canon; thence along the divide south of the same running east on said divide, following the chain of mountains south of Parley's Park around the head of Big Cottonwood creek and lake; thence west to the north line of the Little Cottonwood District; thence west on said line and south on the west line to Little Cottonwood; thence down the same to the mouth; thence north to the place of beginning. Said District to be known by the name of the "Big Cottonwood Mining District.

BY-LAWS.

ARTICLE 1st. A claim shall consist of two hundred feet, with its hights, depths, angles, spurs and variations, from wall rock to wall rock.

ART. 2d. The discoverer of a lode shall be entitled to two hundred feet extra for discovery.

ART. 3d. In case a claim is jumped, the Recorder shall be notified. He shall notify the parties concerned. After due notice being given, the Recorder shall call a Miners' Meeting, and the decision of the majority shall be final.

ART. 4th. The Recorder's office shall be kept as near the center of the District as is practical.

ART. 5th. Claims shall be minutely described, and variations if known.

ART. 6th. The Recorder shall have power to call two miners to assist him in making a just valuation of labor done on a claim, previous to laying over, and the Recorder shall receive a reasonable compensation for time spent in said examination.

ART. 7th. In case a miner is sick, his claim shall not be jumpable, until after a reasonable time, to be decided by a miners' meeting.

ART. 8th. All claims must be distinctly marked with stakes, hillocks, &c., with the names of the discoverers on a distinctly written notice, the names of all the claimants on the same, to make it a valid claim.

ART. 9th. Twenty-five dollars worth of work shall be done on a claim within ten days after recording of the same, and it shall hold a claim or lode for one year.

ART. 10th. A claimant or company shall have twenty days to record a claim in after discovery and putting up notice on the same.

ART. 11th. Claimants of lodes shall have one hundred feet on each side of their respective lodes, for milling, dumping and other purposes.

ART. 12th. Five dollars per day shall be allowed in the representation of claims.

ART. 13th. The Recorder shall have a reasonable compensation when required to go and examine parties' locations.

ART. 14th. The Recorder shall be elected on the first Monday of July, and hold his office for one year or until his successor is elected. *Provided:* He may be removed at any time for misconduct in office, or neglect of duty, prescribed by the laws of this district.

ART. 15th. He shall preserve and keep a substantially bound book to be called the Book of Locations, in which he shall record all notices of locations, claims, whether for mining or other purposes connected therewith.

ART. 16th. He may appoint a deputy under him for whose official acts he shall be held responsible.

He shall write on the back of each paper filed for record, the day and the hour of the filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record.

ART. 17th. After a location, or claim has been recorded, he shall upon request, make and deliver to the claimant, his agent or attorney a certificate of such location and record over his official signature, which certificate shall be conclusive evidence of possession to the holder.

ART. 18th. All examinations of the records or books must be made in the presence of the Recorder or his deputy.

ART. 19th. He shall turn over to his successor in office all books, papers, etc., pertaining to his office. He shall receive one dollar for recording each location and 50 cents for each certificate of the same, and 50 cents for each separate paper. Notice, for each, 50 cents; deed, power of attorney, bill of sale, certified copy, $1.00.

ART. 20th. Any person, or persons, may locate a tunnel by posting at the point of commencement a notice, such as is required in the location of a lode specifying the name or names of the person or persons claiming the right, the course such tunnel is intended to run, the lode or lodes it is intended to work. And by filing for record a similar notice in the Recorder's office, labor shall be permitted thereon the same as required for holding a lode. The same shall represent the lode, or lodes.

ART. 21st. No person shall be entitled to vote at any meeting of miners unless he owns a *bona fide* interest in a mining claim in this district.

ART. 22d. Ten days' notice shall be given in writing, and posted in three separate places in the district, previous to any meeting for the revision of the laws; and special meetings may be called in the same manner.

JAMES WINCHESTER, *Chairman.*

H. C. HULLINGER, *Secretary.*

TERRITORY OF UTAH,
County of Salt Lake. ss.

John C. Kerr, being by me first duly sworn, deposes as follows: R. Greenway is now the Mining Recorder of the Big Cottonwood Mining District, in the County and Territory aforesaid, and affiant is now the said Greenway's lawfully appointed Deputy Recorder. Affiant has now in his possession and under his control the Mining Records, books and papers belonging to the office of the Recorder of said Mining District, the same being the Mining Records of said District. That the above and foregoing paper writings marked "Exhibit A," is a full, true and correct copy of the By-Laws, rules, regulations, and customs of miners in the said Mining District, in force therein, from the date of the organization of said Mining District, on the 17th day of March, 1870, to the 2d day of June, 1871, as the same now appears of record and on file in the Mining Records of said District.

JOHN C. KERR.

Subscribed and sworn to before me, this 24th day of November, 1873.
[SEAL.] A. S. GOULD, *Notary Public.*

[This is the exhibit marked "Exhibit B" referred to in the annexed affidavit of John C. Kerr, sworn to before me this 24th day of November, 1873. A. S. GOULD, *Notary Public.*]

AMENDED LAWS OF JUNE 2D, 1871.

At a meeting of the miners of Big Cottonwood Mining District, Big Cottonwood Canyon, County of Salt Lake, Territory of Utah, June 2d, A. D. 1871, the following amended laws were adopted for the government of the miners of said district, to take effect from the aforesaid date, and all previous laws, so far as regards future locations of mines, were repealed.

ART. 1st. The District shall be known as the Big Cottonwood Mining District, bounded and described as follows: Commencing at the toll gate at the mouth of the canyon, running along the base of the mountains north to the mouth of Mill Creek Canyon; thence along the divide, south of that running east on said divide, following the chain of mountains south of Parley's Park around the head of Big Cottonwood Creek and Lakes; thence west to the north line of the Little Cottonwood District; thence west on said line, and south on the west line, to the Little Cottonwood; thence down the same to the mouth of the canyon; thence north to the place of beginning.

ART. 2d. The officers of this district shall consist of a Recorder, elected for one year from the first Monday in July, in each year, or until his successor be appointed, subject to removal, as for misconduct in office or a neglect of duty; and also of a Standing Committee of three persons, elected at this meeting, to continue in office from this day to the first Monday in July, 1872. The duty of this Committee shall be to act in connection with the Recorder in all matters in dispute, in respect to mining interests. In case the Committee are parties interested, the Recorder shall nominate a Special Committee, to act in the place of the Standing Committee. The Recorder may appoint one or more Deputies as he may deem it necessary, for whose official acts the Recorder shall be responsible, and the name of such Deputy and the date of his appointment shall be entered on the record books before his official duties commence. It shall be the duty of the Recorder to procure books, good and well bound, to be called "Book of Locations and Records," in which shall be recorded the mining laws of the district, notices and proceedings of meetings, the locations of lodes, tunnels, mill and land rights, and other mining claims, and all matters pertaining to the mining of the district. The Recorder, before recording any claim, shall visit any location to be recorded, and if the party claiming the location is not entitled to the location, the Recorder shall refuse to record the same, and, on appeal from his decision, shall be decided by the Standing Committee. The Recorder shall note on the back of all notices or papers given him for record, the day and the hour of the filing thereof, and such instrument shall be deemed recorded from and after the date of such filing. The Recorder shall turn over to his successor in office all books and papers pertaining to his office. The Recorder, in case of a dispute as to amount of work upon claims, shall call two miners to assist him in deciding, and such decision shall be final.

ART. 3rd. The Recorder's office shall be kept as near the centre of the district as is practical.

ART. 4th. A claim shall consist of two hundred feet on the lode, with all its dips, spurs, angles and variations from wall rock to wall rock.

ART. 5. The discoverer of a lode shall be entitled to two hundred feet (same as in article 4th) additional for the discovery.

ART. 6th. All claims must be marked with a distinctly written notice placed upon the lode, with the name of the discoverer and claimants upon the same, to make it a valid claim, which notice must be kept posted until the claim is duly recorded and work done to hold the same one year.

ART. 7th. Any person or persons may locate a tunnel by posting at the point of commencement a notice, such as is required in the location of a lode, with a description of all they claim, the lode or lodes it is intended to work, and they shall be entitled to five hundred feet on each side of the tunnel in any blind lode or lodes that may be discovered in the working of the tunnel. *Provided*, it does not cut any previously located lode or mine.

ART. 8th. A claimant or company shall have twenty days after the discovery and putting up a notice to record claims for lodes, tunnels, etc.

ART. 9th. Twenty-five dollars worth of work done on a lode or tunnel, within ten days after the time allowed for recording the same, shall hold the lode or claim one year, and the same amount done each succeeding year holds it for the year in which the work is done.

ART. 10th. In case a miner is sick, he shall be allowed a reasonable time to work his claim; and it shall be the duty of said miner to file a notice with the Recorder, and the question of time shall be decided by the Standing Committee.

ART. 11th. Claimants of lodes shall have one hundred feet on each side of their lodes for milling, dumping, and other purposes.

ART. 12th. After a claim or location has been recorded, the Recorder shall, upon request of claimant or lawful agent, make and deliver certificate for the same.

ART. 13th. The compensation the Recorder shall be entitled to charge shall be as follows:

For visiting a claim	$1.00
Each mile going and returning	50
Recording locations	1.00
Certificates, each	1.00
Notice	50
Deeds, power of attorney, bills of sale, each	1.00

ART. 14th. Each and every location made in this district after this date, shall be subject to the following conditions: Any person or persons, located in a claim, who does refuse or fails to contribute his part, or pay his assessments for work or expenses, to open or work the location he is located in, shall be notified by a publication in two of the daily papers, published in Salt Lake City, stating his interest and the amount of his assessment for a period of thirty days, after which time, if payment is not made, the parties interested in the mine shall notify the Recorder of such delinquency. He shall notify such delinquent by mail of the amount of assessment against him, by an application made to a Justice of the Peace. The said interest shall be sold at auction, the proceeds from which shall pay the assessments and expenses, and the balance, if any, shall be for the benefit of the party so assessed.

ART. 15th. All examinations of records shall be made in the presence of the Recorder.

ART. 16th. Ten days' notice shall be given in at least three written notices, posted in separate places in the district, to-wit: At the mouth of Big Cottonwood Canyon, at Mill A and Mill F, and at Algiers in Silver Fork, and be published in the *Herald* and *Tribune*, papers published in Salt Lake City, previous to any meeting for the revision of the laws, and special meetings may be called in the same manner.

ART. 17th. No person shall be entitled to a vote at any meeting, who is not a *bona fide* holder of an interest in a mining claim located in this district.

ART. 18th. The compensation for each days' service of the Standing Committee, shall be for each member of the Committee attending the call of the Recorder to settle questions in dispute, five dollars.

ART. 19th. Moved and seconded, That the Recorder's office shall be kept at the mouth of Silver Fork. Adopted.

P. A. CHADBURN, *Chairman.*

H. C. HULLINGER, *Secretary.*

TERRITORY OF UTAH,
County of Salt Lake. ss.

John C. Kerr, being by me first duly sworn, deposes as follows: R. Greenway is now the Mining Recorder of the Big Cottonwood Mining District, in the County and Territory aforesaid. Affiant is now the said Greenway's lawfully appointed Deputy Recorder. Affiant has now in his possession and under his control the mining records, books and papers belonging to the office of the Mining Recorder of the said Mining District, the same being the mining records of said district; that the above and foregoing paper writing, marked Exhibit "B," is a full, true, and correct copy of the By-Laws, rules, customs and regulations of miners in the said mining district, and by them adopted on the 2d day of June, 1871, and in force therein from said 2d day of June, 1871, until the 3d day of July, 1871, as the same now appears of record and on file in the Mining Records of said District.

JOHN C. KERR.

Subscribed and sworn to before me, this 24th day of November, 1873.

[SEAL.] A. S. GOULD, *Notary Public.*

[This is the exhibit marked "Exhibit C" referred to in the annexed affidavit of John C. Kerr, sworn to before me this 24th day of November, 1873. A. S. GOULD, *Notary Public.*]

At a meeting of the miners of Big Cottonwood District, on July 3d, 1871, Mr. Burgess was unanimously chosen chairman of said meeting, and C. M. Brough as Secretary. A Committee was then appointed to revise the laws of said district, which was composed of the following gentlemen, to-wit: R. P. Donnell, H. L. Rice, Geo. W. Crowe, T. Williams, P. A. McCart, and Thomas Flynn. Moved and seconded that Article 2d, of the amended laws of June 2d, 1871, be stricken out from such laws and a new article inserted. Unanimously carried. The revision of such article be as follows, to-wit:

ARTICLE 1st, adopted.

The officers of said District shall consist of a Recorder, elected for the term of one year from July 3d, 1871, and continue in office until the expiration of such term, unless removed for disabilities, etc., or until a successor be appointed to fill such office, and such Recorder shall at his option appoint one or more Deputies to transact the business pertaining to the office, and such Recorder shall be responsible of all acts of such Deputies.

ART. 3rd, adopted. Laws June 2d, 1871.
ART. 4th, adopted. " " "
ART. 5th, adopted. " " "
ART. 6th, shall read (old Art. 6 stricken out June 2d. 1871):

All claims must be marked with a distinctly written notice placed upon each lead or lode, with the names of discoverer and claimants thereon, such notice to remain, before and after recording, unless removed by unavoidable accident.

ART. 7th of amended Laws of June 2d, 1871. Adopted.
ART. 8th, adopted. June 2d, 1871.
ART. 9th of Laws of June 2d, 1871, be stricken out and such article to read:

That twenty-five dollars worth of work shall be done on any lead, lode or tunnel, within thirty days after the recording of the same, and twenty-five dollars worth of work be done on or for each and every two hundred feet of said location, within the succeeding five months, to hold such location for one year from the date of record.

ART. 10th, of Laws June 2d, 1871, be stricken out.
ART. 11th, adopted.
ART. 12th, adopted.
ART. 13th, be stricken out and to read:

The compensation the Recorder shall be entitled to charge, as follows:

For discovery claim	$1.00
Each additional 200 feet, each	50
For abstract of record	1.00

ART. 14th, of Laws of June 2d, 1871, be entirely stricken out.
ART. 15th, of Laws of June 2d, 1871, be adopted.
ART. 16th, of Laws of June 2d, 1871, be amended:

That a notice shall also be posted previous to the calling of meetings, at Algiers, in Silver Fork. Carried.

ART. 17th, of Laws of June 2d, 1871, adopted.
ART. 18th, of Laws of June 2d, 1871, be entirely stricken out.

Moved and seconded, that Article 19th be added to such Laws, and that it shall read:

The Recorder's office for Big Cottonwood District shall be kept at the Mouth of Silver Fork Canyon, or in that that vicinity.

The above revised laws were duly submitted by the Committee to the Miners of Big Cottonwood District, and were unanimously adopted by such Miners, and Committee. The laws to take effect from and after this date.

Chairman, HYRAM BURGESS,
GEO. W. CROWE,
H. L. RICE,
R. P. DONNELL,
THOS. FLYNN,
P. A. McCOST,
TOM. WILLIAMS,
C. M. BROUGH, *Sec'y*,
Committee.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John C. Kerr, of lawful age, being by me duly sworn, deposes as follows: R. Greenway is now the Mining Recorder of the Big Cottonwood Mining District, in the County and Territory aforesaid. Affiant is now the said Greenway's lawfully appointed Deputy Recorder. Affiant has now in his possession and under his control the Mining Records, books and papers belonging to the office of the Mining Recorder of said Mining District, the same being the Mining Records of said District. That the above and foregoing paper writings marked Exhibit "B" and Exhibit "C," are full, true and correct copies of the By-Laws, rules, regulations, and customs of miners of said Mining District. That Exhibit "B" contains the By-laws by said Miners, adopted on the 2d day of June, 1871, which were in force in said District until the third day of July, 1871. That Exhibit "C" contains the amendments to the By-laws mentioned in Exhibit "B," which amendments were adopted by the miners of said District on the 3d day of July, 1871, and the said By-laws so amended continued in force in said District from the said 3d day of July, 1871, until the 1st day of July, 1872, as the same appears of record and on file in the Mining Records of said District.

JOHN C. KERR.

Subscribed and sworn to before me, this 24th day of November, 1873.
[SEAL.] A. S. GOULD, *Notary Public.*

[This is the exhibit marked "Exhibit A" referred to in the annexed affidavit of John C. Kerr, sworn to before me this 24th day of November, 1873. A. S. GOULD, *Notary Public.*]

MINERS' MEETING.

That the regular yearly meeting of Miners will be held at Silver Springs, on the first Monday of July, 1872, for the purpose of electing a Recorder for the ensuing year, and to revise the By-laws of said District, and to transact such other business as may legally come before the meeting.

Big Cottonwood, June 20th, 1872.

H. C. HULLINGER, *Recorder.*

I hereby certify the above to be a true copy of the notice for the yearly meeting, the same being duly posted according to law.

H. C. HULLINGER, *Recorder.*

TRANSACTIONS OF THE MEETING CALLED IN PURSUANCE THE NOTICE ON OPPOSITE PAGE.

At a meeting of the Miners of Big Cottonwood Mining District, held at Silver Springs, on Monday, July 1st, 1872, J. N. Dramer, Robt H. Wilson, L. P. Lyon, J. M. Richardson, and John P. Flynn, were chosen a committee to revise and amend the By-laws of said District. The said Committee reported the following, which were adopted as the By-laws of said District, from this date.

ART. 1st. The District shall be known as the Big Cottonwood Mining District, bounded and described as follows: Commencing at the toll gate at the mouth of the canyon, running along the base of the mountains north to the mouth of Mill Creek Canyon; thence along the divide, south of that running east on said divide, following the chain of mountains south of Parley's Park around the head of Big Cottonwood Creek and Lakes; thence west to the line of the Little Cottonwood District; thence west on said line, and south on the west line, to the Little Cottonwood; thence down the same to the mouth of the canyon; thence north to the place of beginning.

ART. 2d. The officers of this district shall consist of a Recorder, elected for one year from the second Monday in July, in each year, or until his successor be appointed, subject to removal at any time for misconduct in office or neglect of duties The Recorder may appoint one or more Deputies as he may deem it necessary, for whose official acts the Recorder shall be responsible, and the name of such Deputy and the date of his appointment shall be entered in the record book before his official duties commence. It shall be the duty of the Recorder to procure book, good and well bound, to be called "Book of Locations and Records," in which shall be recorded the mining laws of the district, notices and proceedings of meetings, the location of lodes, tunnel, mill and land sites, and other mining claims, and all matters pertaining to the mining of the district. The Recorder shall note on the back of all notices or papers given him for record, the day and the hour of the filing thereof, and such instrument shall be deemed recorded from and after the date of such filing. The Recorder shall turn over to his successor in office all books and papers pertaining to his office.

ART. 3rd. The Recorder's office shall be kept as near the centre of the district as is practical.

ART. 4th. We adopt as the laws of this District for locating of mines, tunnels, and all mining claims, the laws of the United States, as by act of Congress, approved May 10th, 1872.

ART. 5th. Any claimant or claimants, claiming the right to relocate any claim, lode or tunnel, may apply to the Recorder in writing, and he shall appoint five disinterested persons to examine said claim, lode, or tunnel, and said person or persons claiming the right of relocation, shall object to three of the persons so appointed, and the remaining two, with the Recorder, shall visit, examine, and assess the work performed, and the improvements made, and if a majority of said Committee, including the Recorder, shall report in writing and file with the Recorder, that the former locators or claimants of said lode, mine or tunnel, have not complied with the mining laws of the District or of the laws of the United States, such claimant shall be entitled to relocate said lode, mine, or tunnel, and the Recorder shall so certify and record the same.

ART. 6th. All claims must be marked with a distinctly written notice placed upon the lode, with the names of the discoverer and claimants upon the same, to make a valid claim, which notice must be kept posted until the claim is duly recorded and work done to hold the same one year.

ART. 7th. A claimant or company shall have twenty days after the discovery and putting up a notice to record claims for lodes, tunnels, etc.

ART. 8th. After a claim or location has been recorded, the Recorder shall, upon request of claimant or authorized agent, make and deliver certificate for the same.

ART. 9th. The compensation the Recorder shall be entitled to receive shall be as follows:

For Recording any lode, mine, or tunnel	$3.00
For all certificates, each	1.00
For visiting a claim for relocation	5.00
For visiting a claim to assess work	5.00

ART. 10th. When the owners or claimants of any mine, lode, or tunnel, shall claim they have performed labor, or improvements in compliance with law, and shall request the Recorder in writing to visit such claim and estimate the labor performed, or the improvements made thereon, it shall be the duty of the Recorder to visit such claim within forty-eight hours after receiving said notice, and certify in writing and place the same on record, the amount of labor done or improvements made, and such certificate shall be sufficient evidence, that such work was done, or such improvements made.

ART. 11th. All examinations of records shall be made in the presence of the Recorder.

ART. 12th. Ten days' notice shall be given in at least three written notices, posted in separate places in the district, to-wit: At the mouth of Big Cottonwood Canyon, at Mill A and at Mill F, and at Silver Springs and be published in the *Tribune* and *Herald* (papers published in Salt Lake City), previous to any meeting for the revision of the laws, and special meetings may be called in the same manner.

ART. 13th. No person shall be entitled to a vote at any meeting, who is not a *bona fide* holder of an interest in a mining claim located in the district.

It was moved and carried that the Recorder's office be located at Silver Springs.

J. N. DRAMER,
ROBERT H. WILSON,
L. P. LYON,
J. M. RICHARDSON,
JOHN P. FLYNN,
Committee.

I hereby certify the above is a true and correct copy of the By-laws of this District passed at the yearly meeting of the miners of said District, passed July 1st, 1872, pursuant to notices duly posted and published in the *Herald* and *Tribune*, and were submitted by the Committee, each article separate, and were voted on by the raising of hands, and were carried unanimously. It was moved by H. C. Goodspeed that we remonstrate against Little Cottonwood miners taking timber from this District. Carried and adopted. Committee discharged.

We do certify that this is a true copy, and that H. C. Hullinger did receive eighty-three (83) votes for Recorder, and R. Greenway forty-two (42) votes for Recorder, at this election. Silver Springs, Big Cottonwood, Salt Lake County, Utah Territory, July 1st, 1872.

This elects H. C. Hullinger Recorder of Big Cottonwood Mining District, until the second Monday in July 1872.

SAMUEL EDGERLY, *Judge of Election*,
W. E. WALLACE, *Judge of Election*,
THOMAS GILMOUR, *Clerk*,
EDWARD N. MILFORD, *Clerk*.

I hereby certify the above to be a true copy of the returns of said election, as reported by said Judges and Clerks of the same.

H. C. HULLINGER, *Recorder*.

TERRITORY OF UTAH,
County of Salt Lake. ss.

John C. Kerr, being by me first duly sworn, deposes as follows: R. Greenway is now the Mining Recorder of the Big Cottonwood Mining District, in the County and Territory aforesaid. Affiant is now the said Greenway's lawfully appointed Deputy Recorder. Affiant has now in his possession and under his control the mining records, books and papers belonging to the office of the Recorder of the said Mining District, the same being the mining records of said district; that the above and foregoing paper writing marked "Exhibit A," is a full, true and correct copy of the By-laws, rules, customs and regulations of miners in the said Mining District, adopted by the

miners thereof, on Monday, July 1st, A. D. 1872, and which By-laws, rules, customs, and regulations have been in force in said Mining District from the said 1st day of July, 1872, to the present day, as the same now appears of record and on file in the Mining Records of the said District.

JOHN C. KERR.

Subscribed and sworn to before me, this 24th day of November, 1873.

[SEAL.] A. S. GOULD, *Notary Public.*

EXHIBIT "H."

OFFICE OF THE RECORDER OF BIG COTTONWOOD MINING DISTRICT,
Salt Lake County, Utah Territory, Silver Springs, July 9, 1877.

At the annual meeting of the miners of Big Cottonwood Mining District, Salt Lake County, Utah Territory, held at Silver Springs, in said District, on the 9th day of July, 1877, the following committee was elected to revise the laws of the District: John Wait, chairman, R. Whitney, Wm. McGhi, Wm. McGhi, Jr., Wm. Dix, Gustave Bearson. S. Edgerly, clerk. Said committee made the following report:

That Article 1 of the old By-Laws be re-enacted. That Article 7 of the old By-Laws be stricken out, and in lieu thereof the following be adopted: Article 7. That the Recorder shall be elected for the term of two years from the 9th day of July, 1877.

That Article 9 of the old By-Laws be stricken out, and in lieu thereof, the following be adopted: Article 9. That the Recorder of the District shall visit the ground and file for record, on the ground, any claim to be recorded from this date; and that his compensation for the same shall be five (5) dollars for each and every location, and the additional sum of three (3) dollars for recording the same was allowed. For all certificates he is to receive the sum of one (1) dollar each. For visiting a claim to assess work, the sum of five (5) dollars was made the compensation.

The report of the committee was adopted unanimously.

The election for Recorder passed off quietly and resulted in the election, by a unanimous vote of one hundred and fifty four (154) ballots, of Richard Greenway.

S. EDGERLY, *Clerk.*

TERRITORY OF UTAH,
County of Salt Lake. ss.

Richard Greenway, of lawful age, being by me first duly sworn, deposes as follows: That he is the Recorder of Big Cottonwood Mining District, in the County and Territory aforesaid; that he has now in his possession and under his control, the mining records, books and papers belonging to the office of the Recorder of the said Mining District, the same being the Mining Records of said District. That the above and foregoing paper writing marked "Exhibit H," is a full, true and perfect copy of the amendments to the By-Laws of said District, adopted by the miners thereof on Monday, the 9th day of July, A. D. 1877.

That the By-Laws of said district adopted on Monday, July 1st, A. D. 1872, and the amendments thereto, adopted on the 9th day of July, A. D. 1877, as aforesaid, are all the By-Laws adopted and in force in said District, up to and including this day, all of which appears of record and on file in the Mining Records of said District.

RICHARD GREENWAY.

Subscribed and sworn to before me, this 31st day of August, A. D. 1877.

[SEAL.] JOHN McDONALD, *Notary Public.*

I, R. Greenway Recorder of Big Cottonwood Mining District County of Salt Lake Territory of Utah, hereby certify that the foregoing is a true and correct copy of the By Laws of Big Cottonwood Mining District as appears of Record in my office in said District

Given under My Hand and official Seal this 25th day of August A. D, 1878

[SEAL.] RICHARD GREENWAY, *Recorder*

BY-LAWS OF BIG COTTONWOOD MINING DISTRICT, ADOPTED AT THE MINER'S MEETING, HELD AT ARGENTA, IN BIG COTTONWOOD MINING DISTRICT, ON THE SEVENTEENTH DAY OF OCTOBER, A. D. 1878.

SECTION 1. *Name and boundaries.* This District shall be called "Big Cottonwood Mining District," and is bounded and described as follows, to-wit: Commencing at the mouth of Big Cottonwood Canyon, and running thence along the base of the mountains North, to the mouth of Mill Creek Canyon; thence along the divide, south of a divide running east, following the chain of mountains south of Parley's Park, around the head of Big Cottonwood creek and lakes; thence west to the line of Little Cottonwood Mining District; thence westerly on said line, and south on the west line thereof, until the same intersects Little Cottonwood Canyon; thence down said canyon, to its mouth; thence north to the place of beginning.

SEC. 2. *Officers.* The officers of this District shall consist of a Recorder, whose term of office shall continue for one year from the second Monday of July, A. D. 1878, and until his successor is elected and enters upon the discharge of the duties of his office.

SEC. 3. *Powers and duties of the Recorder.* The Recorder shall have power to appoint, not exceeding two Deputy Recorders, and for whose official acts he shall be responsible. He shall enter in the record books of the District, a memorandum of such appointment or appointments, the names of all such appointees, and the date thereof, before they proceed to act as such deputies.

The Recorder shall procure a good, well bound book, which shall be called "Book of Locations," in which he shall record the mining laws of the District, notices and proceedings of meetings, notices of locations of mining and tunnel claims, mill and land sites, and all other matters pertaining to the mining interests of the District.

The Recorder shall note on the back of all notices or papers given him for record, the date and the hour of the filing thereof, and subscribe his name to such note, and such notice or paper shall be deemed to be recorded from and after the date of such filing.

The Recorder shall turn over to his successor in office, all books and papers pertaining to his office, or left in his custody as such Recorder.

The Recorder shall on demand of any person, and payment of the fees allowed by these By-Laws, furnish a certified copy or copies of the Records of the District.

Removal of the Recorder from the District, shall vacate his office.

SEC. 4. *Place of office.* The Recorder's office shall be kept at Argenta, in this District.

SEC. 5. *Extent of claims and boundaries.* All mining claims may be not exceeding fifteen hundred (1500) feet in length, and not exceeding three hundred (300) feet in width, on each side of the middle of the vein at the surface. The end lines of each claim shall be parallel to each other, and as near as practicable, where there are no adjacent natural objects or permanent monuments, such claims shall be marked by posts or monuments at the corners, at the discovery, and on each side line opposite the discovery.

SEC. 6. *Notice of location.* There shall be placed near the discovery, a written notice of location, giving—

1st. The name of the claim.

2d. The date of the location.

3d. The name of the locator or locators.

4th. Such a description of the claim by reference to posts, monuments or natural objects, as will serve to identify the same.

No notice shall be placed on a claim, until a lode or deposit is actually discovered.

SEC. 7. *Recording notice.* The claimant shall have thirty days after the discovery of a lode or deposit, in which to mark its boundaries on the ground, and to record his notice of location, and until the boundaries of the claim are so marked, and the notice of location is placed thereon, the claimant shall remain in the actual possession thereof.

SEC. 8. *Tunnel claims.* Tunnel locations shall have their beginning and terminus, marked distinctly on the ground, by posts or monuments, a notice of location shall be placed on the post or monument at the point of beginning, and such notice shall refer to said posts or monuments, in such manner as will serve to identify the claim, and it shall state whether the proposed tunnel is to be run for the development of a lode or deposit, or for the discovery of mines, or both, the date of the location, and the name of the locator or locators.

The notice shall be recorded within thirty days after such location.

SEC. 9. *Record of assessment work.* The parties having done, or caused to be done, the assessment work upon any mining claim, shall make affidavit, before a Notary Public, of the amount of work done upon such claim, and the value thereof, which affidavit shall be recorded in the records of the District.

SEC. 10. *Examination of records.* All examinations of records shall be made in the presence of the Recorder or one of his deputies.

SEC. 11. *Qualification of voters.* Any person who owns an interest in a *bona-fide* mining claim in this District, either by location or purchase, shall be allowed to vote at any miners' meeting in the District.

SEC. 12. *Fees of Recorder.* The Recorder shall be entitled to the following Fees:

1st. For recording each notice of location	$3.00.
2d. For each certified copy of notice of location	2.00.
3d. For certified copy of By-Laws	5 00.
4th. For certified copy of proceedings of any meeting, or of any other document or paper, for each one hundred words	.15.
5th. For recording affidavit of assessment work	2.00.

SEC. 13. *Meetings.* The next election of Recorder, shall be held at the place where the Recorder's Office is kept on the second Monday of July, A. D. 1879, and on the second Monday of July each year thereafter.

Ten days' notice shall be given by the Recorder, of any meeting called for the purpose of revising these By-Laws, by posting a notice of the time and place of such meeting, at the mouth of Big Cottonwood Canyon, at Argenta, and at Silver Springs.

Any special meeting for any other purpose, may be called in the same manner.

SEC. 14. *Vacancies, how filled.* In case of a vacancy in the office of Recorder, an election to fill such vacancy may be called by five *bona-fide* electors of the District, by giving notice thereof, as required by section 13 of these By-Laws, and until such election is held, the senior deputy Recorder shall discharge the duties of the office of Recorder, and while discharging the duties of the office, during such vacancy, he shall style himself "Recorder Pro-tem."

SEC. 15. *Judges of election.* At all meetings held for the purpose of electing a Recorder, the qualified electors of the District shall select from their number, three persons, who shall be the judges of election; and they, or a majority of them, shall have full power to pass upon the qualification of any person offering to vote.

SEC. 16. *Repeal of former laws.* All By-Laws and regulations heretofore adopted in the District, are hereby repealed.

SEC. 17. *Time when these by-laws take effect.* These By-Laws shall take effect and be in force, from and after the 17th day of October, A. D. 1878.

SAMUEL EDGERLY, *Chairman.*

JOHN MCDONALD, *Recorder.*

RECORDER'S OFFICE, BIG COTTONWOOD MINING DISTRICT,
Salt Lake County, Utah Territory.

I, John McDonald, the Recorder of Big Cottonwood Mining District, in Salt Lake County, Utah Territory, do hereby certify, that the within and foregoing copy of the "By-Laws of Big Cottonwood Mining District," is a full, true and perfect copy of the same, adopted on the 17th day of October, A. D. 1878, at a meeting of the miners of the District, held at Argenta, in said Mining District, for that purpose, and that the said By-Laws have been ever since the said meeting, and are at the present time, in full force in said District.

Witness my hand and the Official Seal of this Mining District, this 21st day of October, A. D. 1878.

[SEAL.] JOHN MCDONALD, *Recorder.*

WASATCH COUNTY.—BLUE LEDGE MINING DISTRICT.

BY-LAWS OF BLUE LEDGE MINING DISTRICT.

Minutes of a meeting held at the house of William F. Gallagher in Heber City on the 13th day of April, 1870, to organize a Mining District in Wasatch County, Utah Territory.

The Meeting was called to order. It was moved and seconded that Richard Sessions be chairman. Carried. Moved and seconded that John Gallagher act as secretary. Carried. Moved and seconded that we organize a Mining District, carried—to be bounded as follows: Commencing at Richard Session's cold spring, running due west to the first canyon, thence up said canyon to the top of the ridge, striking the Wasatch county line, thence following said line of Wasatch and Summit counties in a north-easterly direction to the Wasatch county road, thence south along said road to the place of beginning, to be known as the Blue Ledge Mining District. Moved and seconded that John Gallagher be Recorder of the aforesaid mining District. Carried. Meeting adjourned.

MINUTES OF A MEETING OF MINERS HELD IN THE BLUE LEDGE MINING DISTRICT, ON THE LODE THAT IS KNOWN AS THE SCOTTISH CHIEF LODE, ON THE 10TH DAY OF MAY 1870, AT ABOUT 10 O'CLOCK, A. M.

On motion of R. McKnight, R. W. Glenn be chairman of the meeting. Motion seconded and carried.

The minutes of the miners meeting held at the house of William J. Gallagher on the 13th of April, 1870, was then accepted.

On motion of John Gallagher a committee of three appointed to draft by-laws to govern the Blue Ledge Mining District. Seconded and carried.

Moved and seconded that R. W. Glenn, M. Hurness and William Freeman be said committee. Carried.

Miners meeting held on the 17th day of May, 1870, in Heber City. Meeting was called to order by R. W. Glenn, chairman, when the following by-laws were presented and adopted.

SEC. 1. Any person discovering a ledge or lode of mineral shall be entitled to 200 feet for discovery and 200 feet as a location, making in all 400 feet. Said person so discovering any ledge or lode may with others take up and claim 3,000 feet, provided that said company does not consist of more than fourteen persons.

SEC. 2. When any ledge or lode has been discovered by any person or company, it shall be the privilege of any person or company to make an extension on said lode or ledge, and claim the same amount of feet as specified in Article 1st.

SEC. 3 No person can claim or hold more than 200 feet in any ledge or lode except he hold the same by deed, except the discoverer.

SEC. 4. The surface width of any mining location shall not exceed 100 feet in width on each side the wall rocks of said lode.

SEC. 5. When any person or company shall discover a ledge or lode in this Mining District, he shall post a notice on some given points of the ledge, designating which way his or their claim extends, the name of the lode, by whom discovered, and when located, the amount of feet claimed, and in what part of the District it is situated in.

SEC. 6. All claims shall be filed for record within ten days of their location, unless held by constant labor thereon.

SEC. 7. Any person or company locating a claim as provided by these laws shall perform twenty dollars worth of labor thereon each year, or else it shall be considered abandoned.

SEC. 8. The by-laws of said District may be revised or amended at any regular meeting that may be called by ten or more *bona-fide* claim-holders in said District.

Moved and seconded that we adjourn *sine die.*

R. W. GLENN,
M. HURNESS,
WM. FREEMAN,
Committee on By-Laws.

JOHN GALLAGHER, *District Recorder.*

MINUTES OF A MINER'S MEETING HELD AT JOHN GALLAGHER'S, HEBER CITY POST OFFICE, SATURDAY EVENING, MAY 4TH, 1872, TO ALTER AND AMEND THE LAWS OF THE BLUE LEDGE MINING DISTRICT.

The meeting was called to order, and on motion of Wm. H. Walker, seconded by Thomas Rasband, that J. H. Giles be chairman of said meeting. Carried.

Moved by W. H. Walker and seconded by John Jordan, that John Gallagher be re-elected District Recorder of the Blue Ledge Mining District.

The following laws were then presented, taken from the Little Cottonwood and East Canyon Mining Districts, and each separate section voted upon and adopted.

SEC. 1. This Mining District shall remain and be known as the Blue Ledge Mining District, which shall be bounded as prescribed in the original minutes of a meeting held at the house of Wm. J. Gallagher on the 13th day of April, 1870.

SEC. 2. Ther shall an officer for said Mining District, to be called the Recorder, who shall be elected on the first Saturday of May by the miners of this District, at their annual meeting.

SEC. 3. The Recorder shall procure and keep a substantial bound book, to be called the book of locations, in which he shall record all notices of location claims, whether for mining or other purposes connected therewith.

SEC. 4. He shall carefully preserve and keep all papers filed with him for record, and deliver them up on proper demand to the person or persons entitled to receive the same—and faithfully do and perform all other acts and duties required of him by these laws.

SEC. 5. The Recorder shall hold office for one year, or until his successor is duly elected—provided, however, that he may be removed at any time for misconduct in office or neglect of his duty as prescribed by the laws of this District.

SEC. 6. The record books may be kept in Heber City unless called for by the miners of the Blue Ledge Mining District, and shall be kept open during all business hours for examination and inspection.

SEC. 7. The Recorder may appoint a deputy under him, for whose official acts he shall be held responsible.

SEC. 8. He shall note upon the back of each notice of location or other instrument filed with him for record, the day and hour of the filing thereof, and said instrument shall be deemed recorded from and after the date of such filing for record.

SEC. 9. When a claim shall have been located and recorded, he shall, upon a request, make out and deliver to the claimant, his agent or attorney, a certificate of such location and record of his official signature, which certificate, shall be evidence of the facts therein stated.

SEC. 10. All examinations of the record book must be made in the presence of the recorder or his deputy, and when his term of office expires the Recorder shall turn over to his successor all books, papers and other property pertaining to his office.

SEC. 11. The Recorder shall be authorized to demand fees, to-wit.: For each vein or lode recorded by any person or company of persons, $2; for each claim otherwise recorded, 50cts.; for each official certificate, 50cts.; for each deed, power of attorney, or bill of sale, $1; and he shall be allowed 50cts. per mile going, to each claim him or his deputy visits.

SEC. 12. All claims shall be filed for record within thirty days of the location. Notice shall be marked as follows: On a monument of stone not less than two feet high, or upon a stake three inches through and two feet high above the ground—such notice shall designate the name of the lode and the amount of feet claimed by locator or locators of the ledge, unless the parties shall hold the same by constant labor thereon.

SEC. 13. In making a record of location of any claim the same shall be definitely described with reference to some artificial or natural monument. Each lode shall be represented every year by twenty-five dollars worth of labor actually performed thereon—otherwise it will be considered abandoned, and will be open for relocation, unless it can be shown to the satisfaction of the recorder that one thousand dollars worth of labor has been performed, or a patent taken out for the same. In case of any dispute arising in regard to the amount of labor performed, each party shall have the privilege of choosing a referee or a disinterested miner, which two referees that are chosen and cannot agree, shall have power to call a third, which shall decide the case.

SEC. 14. Any person or persons making a location shall definitely describe to the Recorder or his deputy, as nigh as possible, what part of the District his or their location may be found. The surface width shall be governed by laws of the U. S. A.

SEC. 15. Any person or persons may locate a tunnel by posting at the point of commencement a notice such as is required in the location of a vein or lode—specifying the name of said tunnel, and the name of the person or persons claiming the right of said tunnel; also the course such tunnel is intended to run, the lode or lodes it is intended to work, and by filing for record a similar notice with the Recorder or his deputy. Labor shall be performed thereon the same as required for holding a lode.

SEC. 16. No person shall be entitled to vote at any miners' meeting of this District unless he owns a *bona-fide* interest in a mining claim in this mining District.

SEC. 17. The by-laws of this mining District may be revised or amended at any regular meeting that may be called by thirty or more *bona-fide* claim holders in the aforesaid mining District.

SEC. 18. Thirty days notice shall be given in writing. Such notices shall be issued by the Recorder and posted in five separate places in the District previous to any meeting for a revision of the laws; and all meetings shall be called in the same manner.

SEC. 19. All laws or parts of laws in this District conflicting with these laws, or any of the Mining Laws of the United States are hereby repealed.

I do hereby certify that the above is a true and correct copy of the Blue Ledge Mining Laws.

THOS. H. GILES, *Chairman of the Meeting.*
JOHN GALLAGHER, *District Recorder.*
WM. H. WALKER, *Deputy.*

In pursuance of motion of meeting of July the 10th, 1872, the meeting of July 25th was called to order by W. H. Walker. R. W. Glenn was elected chairman, and L. C. Kerrick secretary.

On motion of C. B. Nugent, carried—that all the ground covered by the Districts known as the Blue Ledge, Howland and White Pine be consolidated, and that all records made previous to this date in the said Districts be by this meeting declared valid through Mr. Walker, deputy recorder. Mr. Gallagher's resignation was accepted.

On motion of John McNeal, carried—that a committee of three be appointed by the chairman to revise the by-laws of Blue Ledge District, and wherever they conflict with the United States laws to amend the same, and the balance to be accepted to define the boundaries of this District.

Moved and carried that this District be named the Blue Ledge District.

Committee as appointed to define boundaries and draft by-laws, W. H. Walker, R. Kamp and T. H. Giles.

On motion of C. B. Nugent 100 feet each side of centre of vein was adopted.—Carried.

On motion of W. Toibe must record within ten days from location.—Carried.

SEC. 1. This Mining District shall be known as the Blue Ledge District and be bounded as follows: Commencing at the top of the summit where the Wasatch County road crosses the summit into Parley's Park, thence following said road southerly to Provo river, thence down said river to the Snake Creek Mining District line, thence westerly along said line to the Wasatch County line, thence northerly along said line to the point of beginning.

SEC. 2. There shall be an officer for said mining District to be called the Recorder, who shall be elected on the 4th Thursday of July by the miners of said District at their annual meeting.

Third, fourth and fifth sections accepted.

SEC. 6. The record books shall be kept within the limits of the Blue Ledge Mining District, and shall be kept open during all business hours for examination and inspection.

Section seventh, eight and ninth accepted.

SEC. 10. It shall be the duty of the Recorder or his deputy to visit all locations, mining claims or other claims for milling or building purposes, before making a record of the same. No claim of any kind shall be recorded that is in dispute by different parties. And when a dispute has arisen over any claim, each party shall have the privilege of chosing a disinterested miner, which referee, if not agreed, shall call a third, which shall decide the case.

SEC. 11. The surface of this Miners District shall not exceed 100 feet from the center of the vein or lode, and all mining claims heretofore discovered shall be monumented so as to plainly define the claim located by the party or parties discovering the same.

Section twelve and thirteen accepted.

SEC. 14. All claims shall be filed for record within twenty days of location notice; $100 worth of labor performed thereon each year unless it can be shown to the satisfaction of the Recorder or his deputy that $500 worth of labor has actually been performed thereon, or a patent taken out for the same.

SEC. 15. All tunnel locations shall be governed by the laws of the United States as regards monumenting and feet claimed and the amount of labor performed thereon to hold the same, and shall be filed for record within thirty days of their location notice.

Section sixteen, seventeen, eighteen and nineteen accepted.

MEETING OF THE MINERS OF BLUE LEDGE MINING DISTRICT, HELD AT REICH'S HOTEL, SEPT. 10TH, 1872, AT HALF PAST NINE O'CLOCK.

Meeting called to order by C. B. Nugent, Recorder.

Motioned and seconded that Edmond Richardson act as chairman. Carried.

Motioned and seconded that R. C. Camp act as secretary.

Moved by Mr. Nugent and second by B. A. Morris, that the seventeenth section be made to read thirty miners instead of ten. Carried.

Motion by Joseph Murdock and seconded by B. A. Morris, that the nineteenth section be made to read thirty days instead of ten. Also that not less than five notices be posted in the most prominent or conspicuous places in said District. Carried.

Motioned by Mr. Nugent, second by John Cook, that the eighteenth section be made to read the Recorder, leaving out the word deputy. Carried.

Motioned by B. A. Morris and second by Joseph Murdock, that section fourteen be amended to read twenty days for locating instead of ten. Carried.

Moved by S. C. Perry, second by B. A. Morris, that these amendments be in force after the close of this meeting. Carried.

Motioned by John Crooks, second by Nugent, that these laws be published in the Mining Journal. Carried.

Motioned by Nugent, second by Morris, that the meeting adjourn *sine die.* Carried.

EDMUND RICHARDSON, *Chairman.*

MINUTES OF MEETING HELD BY THE MINERS OF BLUE LEDGE DISTRICT HELD AT RECORDER NUGENT'S OFFICE, JULY 25TH, 1873:

On motion of J. W. Snyder, C. B. Nugent was elected chairman.

On motion J. W. Snyder, John Hughs was elected secretary.

On motion of J. W. Snyder, the by-laws were read by secretary.

On motion of J. W. Snyder it was moved and carried that twenty-five dollars worth of labor be done on all locations within thirty days after date of locations.

On motion of J. W. Snyder it was moved and carried that these laws be inforced until revised.

On motion of John W. Hughs it was moved and carried that J. W. Snyder be elected recorder of Blue Ledge Mining District for the coming year, or until removed.

On motion of B. A. Morris, moved and carried that the meeting adjourn *sine die.*

MINUTES OF A MEETING HELD BY THE MINERS OF BLUE LEDGE MINING DISTRICT, HELD AT THE RECORDER'S OFFICE, JULY 25TH, 1874:

On motion of W. B. Sessions, Hiram Oaks was elected chairman.

On motion of W. B. Sessions, D. A Sessions was elected secretary.

On motion of W. B. Sessions, it was moved and carried that John Sessions be elected Recorder of the Blue Ledge Mining District for the coming year or until removed.

On motion of Hiram Oaks and seconded by D. A. Sessions, that there be an amendment on the sixth section of the District law that in case the Recorder should have business that would require him to be away from the District for a time let the records be deposited with the County Recorder.

On motion of W. B. Sessions, moved and carried that the annual meeting be on the fourth Thursday of July instead of the 25th inst.

On motion of John Sessions moved and carried that the meeting adjourn *sine die.*

HIRAM OAKS, *Chairman.*

MINUTES OF A MINERS' MEETING HELD AT SESSIONS CAMP, BLUE LEDGE MINING DISTRICT BY THE MINERS, JULY 22D, AT 12 O'CLOCK, 1875.

Meeting called to order by John Sessions, Recorder.

By motion W. Whipple was elected chairman.

Motioned and seconded that James Jackson be elected secretary. John Sessions was elected Recorder from July 22d, 1875, till July 22d, 1876.

The Recorder's book is to be kept within the District while there is three miners within it.

Motioned and second that this meeting be adjourned *sine die.* Carried.

WILLIAM WHIPPLE, *Chairman.*

JAMES JACKSON, *Secretary.*

I, John Sessions, District Recorder of Blue Ledge Mining District, situated in Wasatch County, Utah Territory, do hereby certify that the foregoing is a true, full and correct copy of the By-Laws of said Mining District, as appears upon the books of record of said Mining District.

JOHN SESSIONS, *District Recorder.*

Sworn and subscribed to before me, a Notary Public in and for the County of Summit and Territory of Utah, this third day of April, 1876.

W. J. MONTGOMERY, *Notary Public.*

BEAVER COUNTY.—STAR MINING DISTRICT.

At a general meeting of The miners of Star District, held on the 8th day of July 1870. The following by laws for the government and regulation of said District were unamemously passed and adopted.

Be it resolved That This District be known as The "Star" Mining District and shall comprise within its boundries 12 miles square. The Silver Bell location being considered the centre point of Said district

SECTION 1st A Recorder shall be Elected by The miners of said District whose duty it shall be to keep a true correct and faithful record of all claims located in said district and who shall keep a book or books of record in his office open to inspection of the public

SECTION 2nd The Recorder shall have authority to appoint a Deputy or Depueties who shall be required to perform the same duties as The Recorder. But should The Recorder and his depuites absent Themselves from the district for a period of thirty "30" days or fail to perform The duties of theer office then the office shall be considered vacant and an Election shall be held to fill the vacancy

SECTION 3rd The Recorder shall receive for his fees The following for each claim of 200 ft. the sum of 50 cts. For filing Notice of assessment and surveying work the sum of $2.00 For abstract of titles for each name the sum of 50 cts And the Recorder is not required to File or Record unless his fees are tendered

SECTION 4 The Recorder of this district shall hold his office for the period of "1" year from The date of his election and untill his successor is elected.

SECTION 5 That any person or persons who may here after discover any quartz Lead or Lode or mineral bearing Rock shall be entitled to "1" one claim thereon By Right of Discovery and one "1" claim Each by Location

SECTION 6 That a quartz or mining claim shall consist of "200" two hundred feet on The Lead or Lode—with all dips, Spurs, Angles, as also rights of drainage, Tunneling and such other privileges as shall be nessary to The working of said claim

SECTION 7 The locator of any quartz claim or claim on any Lead or Lode or mineral bearing Rock shall at The time of locating place a substantial monument or Stake at The Discovery claim, or at the ends of said claim or claims on which shall be a written or printed notice specefying the name or names of the locations the number of feet claimed, Together with the day, month, and year when the same was located

SECTION 8 All claims shall be recorded in the District Recorders office within fifteen "15" days from the time of posting Notice Thereon otherwise the claim so located shall be considered abanded and liable to relocation. But in case of the absence of the Recorder or his Deputies the location shall be considered valid for or during said absence

SECTION 9 All quartz claims so Recorded in accordance with the provisions of these laws shall entitle the person or persons to hold the same to the use of himself. his heirs or assigns, Providing That within Sixty "60" days from and after filing notice of location he or They perform or cause to be performed work to the amount of one "1" days labor for each claim of two hundred "200" feet. and the Recorder or his Deputy is required to go on the ground and survey said work and if in his opinion there is sufficient work done thereon then he may record said work. other wise He may refuse untill sufficeent work is performed. And any person or persons holding quartz claims in persuarance of the provisions of these laws are required to perform or cause to be formed work to the amount of one "1" days labor anualy or untill "$100" one hundred dollars worth of work is performed on the same when the locator his heirs or assigns shall be entitled to hold the same as real estate

SECTION 10 The laws of this district may at any time be amended by the miners of the District By "5" five Bonafide miners serving notice on the Recorder requesting him to call a meeting for that purpose. And the recorder shall post notice to that Effect at his office and also at two public places at least "1" week in advance of the time set for holding said meeting. No person shall be allowed to vote at a special or general Election who does not own or hold some actual mining interest in this district and any ten "10" Bonafide miners attending such meeting shall be considered a quorim for the transaction of Business. The Recorder shall act as Secty. of the meeting and the proceedings of such meeting shall be recorded in the record Books of the district and be considered valid and binding as the laws of the District But in no instance can the laws thus amended effect original titles or locations made prior to said amended laws.

On motion Jas. C. ONeill was unamiously Elected district Recorder for the period of 1 year from date.

Star District July. 8th. 1870

T. F. COLWELL *Pres.*

JAS. C. ONEILL *Secty.*

At a subsequent meeting held on the 8th day of July 1871. Section 9 was amended to read as follows that the amount of labor required for each claim of two hundred "200" feet shall be a shaft four feet by six feet "4 x 6" feet and one foot deep. Said labor to be performed within ninty "90" days from date of recording and when duly complied with shall hold said ground for one year from date of record

JAS. C. ONEILL *Secty.*

On motion the Recorder was requested to furnish a copy of the by laws with the proceedings of the meeting to the Salt Lake Tribune and Ely Record for publication

JAS C ONEILL *Secty.*

At an adjourned Meeting of the miners of Star District held on the 20th day of July 1872 the following by laws for the government and regulation of said District were passed and adopted to take affect from and after the date of their passage

SECTION 1st A Recorder shall be elected by the miners of said District whose duty it shall be to keep a true correct and faithfull record of all claims located in said district and who shall keep a book or books of records in his office open to inspection of the public

SECTION 2nd The Recorder shall have authority to appoint a deputy or deputies who shall be required to perform the same duties as the Recorder. But should the Recorder and his Deputees absent themselves from the District for a period of thirty "30" days or fail to perform the duties of their office then the office shall be considered vacant and an election shall be held to fill the vacancy.

SECTION 3rd The Recorder shall receive for his fees the following For each Notice recorded he shall recive the sum of $3.00 for surveying working and recording the same the sum of $3.00 for all certificates or Abstracts of title the sum of $1.00 For visiting a claim for relocation the sum of $3.00 And the Recorder is not required to file or record unless his fees are tendered

SECTION 4 The Recorder of this district shall hold his office for the period of one year from the date of his election and untill his successor is elected

SECTION 5 All claims shall be recorded in the district recorders office within fifteen days from the time of posting Notice thereon otherwise the claim so located shall be considered abandoned and subject to relocation But in case of the absence of the Recorder or his deputies the location shall be valid for or during said absence

SECTION 6 We adopt as the laws of this district for for the location of Mines Tunnels and all other mining claims the laws of the United States as by act of Congress approved May 10th A D 1872—

SECTION 7 Any person or persons claiming the right to relocate any claim Lode or Tunnel may apply to the Recorder in writing or in person and the Recorder shall when so applied to go upon the ground and if he finds that the former locators have not complied with the laws of the district or the United States then the persons making the application shall be entitled to make the relocation and the Recorder shall certify to and record the same

SECTION 8 All claims must be marked with a distinctly written Notice placed upon the lode with the name of the discoverer and claiments upon the same to make a valid claim

SECTION 9 When the owners or claiments of any mine lode or Tunnel shall claim they have performed labor or made improvements in compliance with law and shall request the Recorder to visit such claim and estimate the labor performed and the improvements made thereon it shall be the duty of the Recorder to visit such claim within forty Eight hours after receiving said notice and certefy in writing and place the same on record. the amount of labor done or improvements made and such certificate shall be sufficient Evidence that such work was done or improvements Made—

SECTION 10 All examinations of Records shall be made in the presence of the Recorder—

SECTION 11 The laws of this District may at any time be amended by the miners of the district. By "5" Bonefide Miners serving notice on the Recorder requesting him to call a meeting for that purpose and the Recorder shall post Notice to that Effect at his office and also at two public places at least one week in advance of the time set for holding said meeting. No person shall be allowed to vote at a special or general election who does not own or hold some actual mining interest. in this district and any ten "10" Bonifide miners attending such meeting shall be considered a quorum for the transaction of business The recorder shall act as secratary of the meeting and the proceedings of such meeting shall be recorded in the record books of the District and be considered valid and binding as the laws of the District. But in no instance can the laws thus amended exfect orreginal titles or locations made prior to said amended laws

SECTION 12 All sections or parts of sections of the former laws of this district that are in conflict With the law of the United States or of these laws as now amended are hereby repealed

JOHN SHUMER
T. F. COLWELL
J S FRASHER
DAN DOHARTY
JOHN KEMPLE
Committee

STAR DISTRICT BEAVER CO UTAH

At the general anual meeting of the miners of Star District July 8th 1875 A. P. Taylor was reelected Recorder of Star District for the period of one year from date

It was then moved that the by-laws of Star Mining District be so amended that on all locations hereafter made labor to the amount of twenty five $25. dollars be performed within ninety "90" days from date of location—Adopted—

JAMES C ONEILL. *Secty*

A. P. Taylor is still Recorder of Star District.

W. R. SLOAN *Deputy Recorder*

UTAH COUNTY.—AMERICAN FORK MINING DISTRICT.

BY-LAWS OF AMERICAN FORK MINING DISTRICT, JANUARY, 1876.

At a meeting of miners, held on "Mineral Flat" in American Fork Canyon, July 21st, 1870, Charles E. Hull was chosen Chairman, and B. F. Snyder Secretary, when the following laws and boundaries were adopted:

SECTION 1. This District shall be known as the American Fork Mining District, and bounded as follows: Commencing at a bald mountain at the head of American Fork and Little Cottonwood Canyons, and running along the ridge east four (4) miles; thence southerly six (6) miles; thence westerly six (6) miles; thence northerly six (6) miles; thence easterly two (2) miles, to the place of beginning.

SEC. 2. There shall be an officer for said District to be called the Recorder, who shall be elected on the third (3rd) Monday in July, by the miners of the District at their annual meeting.

SEC. 3. The Recorder shall procure and keep a substantially bound book, to be called the "book of locations", in which he shall record all notices of locations, claims, whether for mining or other purposes connected therewith.

SEC. 4. He shall carefully keep and preserve all original papers filed with him for record, and deliver them, upon proper demand, to the person or persons entitled to receive the same, and faithfully do and perform all other acts and duties required of him by these laws.

SEC. 5. The Recorder shall hold office for one year, or until his successor is duly elected. Provided, however, that he may be removed at any time for misconduct in office or neglect of duty, as prescribed by the laws of this District.

SEC. 6. The record books shall be kept within the limits of the District, and shall be kept open during business hours for examination and inspection.

SEC. 7. The Recorder may appoint a Deputy under him, for whose official acts he shall be held responsible.

SEC. 8. He shall note upon the back of each notice of location, or other instrument filed for record, the date and hour of filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record.

SEC. 9. When a claim shall have been located and recorded, he shall, upon request, make and deliver to the claimant, his agent, or attorney, a certificate of such location and record over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

SEC. 10. All examinations of the record books must be made in the presence of the Recorder or his Deputy, and when his term of office shall expire the Recorder shall turn over to his successor all books, papers and other property pertaining to his office.

SEC. 11. It shall be the duty of the Recorder to go on the ground and file all notices and take a correct copy thereof, and mark on stake the name of claim and number of feet claimed.

SEC. 12. The Recorder shall be authorized to demand and receive for his service the following fees, to-wit:

For each claim of "200" feet	$1.00
" certificate	50
" deed, pow. of att'y, bill of sale	1.00

SEC. 13. No person, or company of persons, shall be entitled to hold more than two hundred (200) feet as discovery of a lode, nor more than two hundred (200) feet for each person located, and the number of feet in all shall not exceed three thousand (3,000) feet; the surface width requisite for mining purposes, or for the convenient working of the same, shall not exceed one hundred (100) feet on each side of the walls of said vein or lode. When it may become necessary for mining or milling purposes that on appurtenant or adjacent tract is requisite, the same shall not exceed in its limits a space of four hundred (400) feet long by three hundred (300) feet in width, and such tract may be situated at the nearest available point within the limits of the District, provided the same shall not be distant more than one half mile from said vein or lode.

SEC. 14. All claims shall be recorded within twenty days of the location, and a blazed tree, stake, or board, shall designate the name of lode and amount of ground claimed by the location of the ledge, unless the parties shall hold the same by constant labor thereon.

SEC. 15. In making a record of locations of any claim, the same shall be definitely described with reference to some natural or artificial monument, and whenever any claim shall have been worked to the extent of removing ten cubic yards of "pick ground", or two cubic yards of blasting ground to each two hundred feet, said claim shall be deemed to have complied with all requirements and demands of this Districts as regards work for the space of one year; this amount of labor to be performed in sixty days from date of record, and the Recorder shall duly record the same and issue a certificate to the effect that the provisions of this section have been complied with. Otherwise it will be considered abandoned and be open for relocation, unless it can be shown to the satisfaction of the Recorder that one thousand ($1,000) dollars worth of labor had been performed, or a patent taken for the same.

SEC. 16. Any person or persons may locate a tunnel by posting at the point of commencement a notice, such as is required in the locations of a lode, specifying the name or names of the person or persons claiming the right, the course such tunnel is intended to run, the lode or lodes it is intended to work, and by filing for record a similar notice in the Recorder's office. Labor shall be performed thereon the same as required for holding a lode.

SEC. 17. No person shall be entitled to vote at any meeting of miners unless he owns a "bona fide" interest in a mining claim in this District.

SEC. 18. The By-Laws of this District may be repealed, revised or amended at any regular meeting that may be duly called by ten (10) or more "bona fide" claim holders in said District.

SEC. 19. Ten days' notice shall be given in writing and posted in three separate places in the District previous to any meeting for a revision of the laws, and special meetings may be called in the same manner.

SEC. 20. These laws shall take effect and be in force from and after their passage.

B. F. Snyder was then by acclamation chosen Recorder, when the meeting adjourned.

CHAS. E. HULL, *Chairman.*

B. F. SNYDER, *Secretary.*

AMERICAN FORK CANYON, *July* 21*st*, 1870.

Pursuant to notice the miners of American Fork District met on the 27th day of October, A D. 1870.

G. W. Grant was chosen Chairman, and R. C. Chambers Secretary of the meeting.

On motion it was

Resolved That *lines* 5, 6 and 7 of Article 15 of these laws shall be amended to read as follows, to-wit:

"To the extent of removing ten cubic feet of pick ground, or two cubic feet of blasting ground to each two hundred feet"

(Instead of cubic yards)

On motion,

Resolved, that all claims now located and recorded, or may hereafter be recorded, shall not be deemed abandoned or subject to relocation on account of proper assessment work not being now done, such claims shall not be considered subject to such relocation before July 1st, 1871, and sec. 15 shall be suspended as far as relates to this resolution until said July 1st. 1871.

Then this resolution shall be null and void.

The resignation of B. F. Snyder as Recorder was read, and on motion was unanimously rejected.

On motion this meeting adjourned *sine die.*

G. W. GRANT, *Chairman.*

R. C. CHAMBERS, *Secretary.*

RECORDER'S OFFICE, AMERICAN FORK DISTRICT, U. T., *October* 17, 1870.

Pursuant to notice the miners of American Fork Mining District met at the cabin of the Queen of the West, April 27th, 1871, at 12 o'clock M.

J. C. McManus was elected Chairman, Jno. S. Hickey Secretary.

On motion B. F. Snyder was removed from the office of Recorder.

The office being then declared vacant, on motion J. C. McManus was elected Recorder of the District

On motion it was moved and seconded that Article 12 of the "By-Laws" be repealed. Carried.

It was moved and seconded that Article 11 of the "By-Laws" be repealed. Not carried.

It was resolved that the Recorder's fees be 50 cts. for each 200 feet recorded; for a certificate 50 cts; for deed, power of attorney, and bill of sale, each $1.00.

It was resolved that the Recorder should receive an additional sum of $2.00 for going on the ground to record a claim.

Resolved, That this meeting concur with and in the Act of October 27th, 1870, in laying over claims till July 1st, 1871.

On motion the meeting adjourned *sine die*.

J. C. McMANUS, *President*.

JNO. S. HICKEY, *Secretary*.

Pursuant to notice the miners of American Fork Mining District held their annual meeting July 17th, 1871, at the Recorder's office on Mineral Flat, American Fork Canyon, when the following laws were offered and adopted. Dan'l C. McGlynn was chosen Chairman, and J. C. McManus Secretary.

Resolved, That a notice posted on any claim or location shall hold the same ten days from date of said notice, the said notice to be recorded in the office of the District Recorder on or before the expiration of ten days from date of said notice. All notices to be dated at the time of posting said notice, shall state the direction said lode is supposed to run, and the number of feet claimed each way from the notice.

Resolved, That the amount of labor to be performed within thirty days from date of record, for each two hundred feet claimed on the lode, shall be in depth, one foot of blasting rock or two feet of pick ground. The shaft, or tunnel, to be four feet by six feet, or the width of the lode, said amount of labor to hold the claim for one year.

Resolved, That it shall be the duty of the Recorder to go on the ground and file all notices and describe each and every location with reference to some natural or artificial monument.

Resolved, That any article in the "By-Laws" of this District conflicting with the foregoing resolutions, shall be considered repealed from and after this date.

Resolved, That all claims heretofore recorded shall have thirty days from date of these laws to comply with the same.

Resolved, That a Committee of three be appointed to revise the laws of the District, and submit the same to the miners of the District in thirty days from date of this meeting at Recorder's office.

On motion J. C. McManus was elected Recorder of the District for the ensuing year.

On motion the meeting adjourned.

DANIEL C. McGLYNN, *President*.

J. C. McMANUS, *Secretary*.

RECORDER'S OFFICE, *July 17th*, 1871.

Pursuant to notice the miners of American Fork District held a meeting at the cabin of the Queen of the West, August 21st, 1871, at 10 o'clock a. m.

W P. Hunter was chosen Chairman, and M. V. Meredith Secretary.

On motion the old laws were repealed, and the revised laws declared to be in force from and after date.

J. C. McManus resigned the office of Recorder. His resignation accepted.

On motion M. V. Meredith was nominated, balloted for and declared elected, there being no opposition.

On motion the meeting adjourned.

W. P. HUNTER, *Chairman*.

M. V. MEREDITH, *Secretary*.

RECORDER'S OFFICE, *August 21st*, 1871.

Notice.

TO THE MINERS OF AMERICAN FORK CANYON MINING DISTRICT.

That a meeting of the miners of said District will be held at the Recorder's Office, in Forest City, on Thursday, the 20th day of June, 1872, at 1 o'clock p. m., to transact business relative to mining interests, viz: To frame new By-Laws for the District in accordance with the laws of the "United States" and "Utah Territory", made and provided. All interested are invited to attend.

DR. G. SPOERRY, *Recorder*.

RECORDER'S OFFICE, FOREST CITY, *American Fork Mining District, June 10th*, 1872.

FOREST CITY, AMERICAN FORK MINING DISTRICT,
Salt Lake County, U. T., June 20, 1872.

Pursuant to the above notice from the Recorder's Office, issued June 10th, 1872, the miners of this District assembled, it was moved and seconded that Leonard H. Merrill be Chairman, and Alex. McAlpine Secretary.

The Chairman, on motion, appointed five men to frame new "By-Laws" for this District, which are as follows, viz:

ARTICLE I. This District shall be known as the American Fork Mining District, and bounded as follows: Commencing at a bald mountain at the head of American Fork and Little Cottonwood Canyons, and running along the ridge east four (4) miles; thence

southerly six (6) miles; thence westerly six (6) miles; thence northerly six (6) miles; thence easterly two (2) miles, to the place of beginning.

ARTICLE II. There shall be an officer for said District, to be called the Recorder, who shall be elected on the third (3rd) Monday in July, by the miners of the District, at their annual meeting.

ARTICLE III. The Recorder shall procure and keep a substantially bound book, to be called the "book of locations", in which he shall record all notices of location claimed, whether for mining or other purposes connected therewith.

ARTICLE IV. The Recorder shall carefully keep and preserve all original papers filed with him for record, and deliver them upon proper demand to the person or persons entitled to receive the same, and faithfully do and perform all other acts and duties required of him by these laws.

ARTICLE V. The Recorder shall hold office for one year, or until his successor is duly elected. Provided, however, that he may be removed at any time for misconduct in office or neglect of duty, as prescribed by the laws of this District.

ARTICLE VI. The record books shall be kept within the limits of the District, and shall be kept open during business hours for examination and inspection.

ARTICLE VII. The Recorder may appoint a Deputy under him, for whose official acts he shall be held responsible.

ARTICLE VIII. The Recorder shall note upon the back of each notice of location, or other instrument filed for record, the date and hour of filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record.

ARTICLE IX. When a claim shall have been located and recorded, the Recorder shall upon request make and deliver to the claimant, his agent or attorney, a certificate of such locations and record over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

ARTICLE X. All examination of the record books must be made in the presence of the Recorder or his Deputy, and when the Recorder's term of office shall expire, he shall turn over to his successor all books and papers and other property pertaining to his office.

ARTICLE XI. A notice posted on any vein or ledge, shall hold the same for a period of thirty days from date of posting, that the locator shall be able to definitely define the course of said vein. But nothing in this article shall be so construed as to empower any person or persons to locate float mineral. After the expiration of thirty days all claims shall be recorded on the record books of this District, and defined as follows, to-wit: "There shall be three permanent stakes posted, one at the discovery, and one at each side, at a distance of 200 feet from discovery, the three stakes to be on a line with each other, extending along the line of said vein or ledge".

ARTICLE XII. One or more persons shall be entitled to locate fifteen hundred feet in length along the line of their vein or ledge, and one hundred feet in width on each side from the centre of said vein or lode. Any person or persons making such locations shall be required to expend by actual labor, or improvements performed thereon, an amount not less than one hundred dollars each year. On each tunnel located there shall be performed each year at least two hundred dollars worth of labor, twenty-five dollars of which shall be performed within thirty days from date of location, and an additional amount of seventy-five dollars to be expended within six months from date of location. In estimating the amount of labor performed on any claim or tunnel site, "three cubic yards" of picking ground, or "one cubic yard" of blasting ground, excavated and removed, shall be considered equivalent to fifteen dollars.

ARTICLE XIII. It shall be the duty of the Recorder to go on the ground and file all notices, take a correct copy thereof, and describe each and every location with reference to some natural or artificial monument, and he shall be entitled to receive for his services five dollars for each claim recorded, fifty cents for each certificate, and two dollars for each deed or power of attorney.

ARTICLE XIV. No person shall be entitled to vote at any meeting of miners, unless he owns a *bona fide* interest in a mining claim in this District.

ARTICLE XV. The By-Laws of this District may be repealed, revised, or amended at any regular meeting, that may be duly called by ten or more men *bona fide* claim holdres in said District.

ARTICLE XVI. Ten days' notice shall be given in writing and posted in three conspicuous and separate places in the District, previous to the calling of any regular meeting, and a special meeting may be called in the same manner.

ARTICLE XVII. These laws shall take effect and be in force from and after this date, and all "By-Laws" and portions conflicting with these laws are hereby repealed.

LEONARD MERRILL, *Chairman.*

ALEX. MCALPINE, *Secretary.*

DR. G. SPOERRY, *Recorder.*

I certify on honor that this is a true and correct copy of the revised By-Laws of American Fork Mining District made this 20th day of June, 1872.

DR. G. SPOERRY, *Recorder.*

Pursuant to notice the miners of American Fork Mining District met on the 15th day of July, 1872, for the purpose of electing a Recorder and to transact business in general.

The following members of the meeting were elected to preside over the meeting and election:

P. RYAN, *President.*

LINCOLN, WILKINSON, } *Judges of Election.*

J. DILLON, DR. DOUGLAS, } *Tally Keepers.*

F. BIRK, *Secretary.*

On motion it was moved and seconded that Article 12 of the By-Laws be repealed. Carried.

Article 12 reads as follows:

One or more persons shall be entitled to locate fifteen hundred feet in length along the line of their vein or lode, and one hundred and fifty feet in width on each side from the centre of said vein or lode. Any person or persons making such locations shall be required to expend by actual labor or improvements thereon an amount not less than one hundred dollars each year. On each tunne. located there shall be performed each year at least two hundred dollars worth of labor, twenty-five dollars of which shall be performed within thirty days from date of location, and an additional amount of seventy-five dollars to be expended within six months from date of location. In

estimating the amount of labor performed on any claim or tunnel site, three cubic yards of picking ground, or one cubic yard of blasting ground, excavated and removed, shall be considered equivalent to fifteen dollars.

The meeting here went into an election for Recorder of the District for the ensuing year.

For Candidates:—
DR. G. SPOERRY,
J. W. HUDSON.

The poll opened at 2 o'clock p. m., and closed at 6½ o'clock p. m. The entire number of votes were fifty-six.

Dr. G. Spoerry	42 votes
J. W. Hudson	14 "

Dr. G. Spoerry was elected by a majority of twenty-six votes.
On motion the meeting adjourned.

P. RYAN, *President.*

FRANK BIRK, *Secretary.*

RECORDER'S OFFICE, July 15th, 1872.

MEETING OF THE MINERS OF AMERICAN FORK MINING DISTRICT, JULY 21ST, 1873.

Leonard H. Merrill duly elected Chairman; P. Ryan, President; U. B. McSweney, Secretary; W. Wilkinson and James Moory, Judges.

First, motion by Mr. P. Ryan and seconded: That any man not having a claim located ten days prior to the day of meeting, and cannot show a mineral vein to the day of meeting, or has not seen his claim, shall not vote at this election. Carried.

Second, motion by Mr. Haskins, motioned and seconded: "We adopt the United States Laws for the General Laws of the District." Carried.

Meeting closed at 6 o'clock.

Dr. G. Spoerry announced by a majority of twenty-three votes.

Dr. G. Spoerry	49 votes.
A. McAlpine	26 "

P. RYAN, *President.*
U. B. McSWENEY.
W. WILKINSON.

Pursuant to notice the miners of American Fork Mining District, Utah Territory, met on the 19th of July, 1875, for the purpose of electing a Recorder for the ensuing year, and the transaction of general business.

The meeting was organized by electing Mr. P. Dearth as presiding officer, and Mr. L. W. Boutwell and Dr. G. Spoerry as clerks of election.

On a motion made by Mr. Haskins, and seconded by Mr. Woods, and unanimously adopted by the meeting, it was resolved to expunge from Mr. S. Osborn's protest against the location made of the Clipper No. 2 the terms of "fraudulent" used therein, and exonorating Recorder Birk from any fraudulent proceedings therein.

The polls were opened at 10 o'clock a. m., and closed at 5 o'clock p. m.

No. of votes cast for Perry Dearth	14 votes.
" " Thos. B. Croft	10 "
Total number of votes	24

Majority for Perry Dearth 4 votes.
Perry Dearth is declared elected Recorder.

PERRY DEARTH, *Chairman.*

DR. G. SPOERRY,
L. M. BOUTWELL.
Clerks.

FOREST CITY, AMERICAN FORK, U. T., July 19, 1875.

TERRITORY OF UTAH,
County of Utah. ss.

Perry Dearth, of lawful age, being by me first duly sworn, deposes and swears, that I am the Recorder of the American Fork Mining District, in the County of Utah, Territory of Utah, and has been such Recorder since the 19th day of July, A. D. 1875, and since said last mentioned date, and now has the control of the mining records of said District.

And further, that the above and foregoing is a full, true and complete copy of the By-Laws of said Mining

District, originally adopted on the 21st day of July, A. D. 1870, when said District was first formed and constituted, and of all amendments thereto made since said date, all of which now appear on record and on file in my office.

PERRY DEARTH.

Sworn and subscribed to before me, this the 1st day of September, A. D. 1875.

FRANK BIRK, *Justice of the Peace.*

FOREST CITY PRECINCT, UTAH COUNTY, UTAH TERR.

TOOELE COUNTY.—OPHIR MINING DISTRICT.

BY-LAWS OF OPHIR MINING DISTRICT, AS ADOPTED AUGUST 6TH, A. D. 1870, AND AS AMENDED JUNE 10TH, A. D. 1872, AND AS AMENDED DECEMBER 30TH, A. D. 1874.

Miners' Meeting.

A meeting of the miners of Ophir Mining District, was held pursuant to notice, Saturday, August 6th, 1870. On motion, H. C. Lincoln was elected chairman of said meeting, and E. F. Martin, Secretary. The object of the meeting being to enact a code of local mining laws for said district, and the election of a District Recorder. On motion the following named persons were elected a committee to prepare a code of mining laws for said district: William Taft, W. T. Barbee, Thos. Lee, L. W. Clark, of East Canyon Division, Leo Dykes, ——— Clark, ——— Fretnell, of Dry Canyon Division. The Committee retired, and after an absence of one hour, submitted a code of By-Laws for this District, which was adopted section by section. The election of Recorder for the ensuing year being in order, a vote by secret ballot was had, which resulted in the election of E. F. Martin.

Montioned, seconded and carried that the Recorder copy from the records of Rush Valley District all claims recorded in said records, which are in the jurisdiction of this District, the Recorder to be entitled to a fee of fifty cents for each company's claim.

Motioned, seconded and carried that all labor performed on locations in the District under the Rush Valley District Mining Laws be considered as representation labor on said locations under the laws of this District.

BY-LAWS.

SECTION 1. This District shall include that portion of Territory situated in the Territory of Utah as follows: beginning at a point on the western boundary line on the west mountain which is known as the Red Bluff, where it intersects the southern line of the Rush Valley Mining District; to follow this line east to its intersection with the dividing line between the counties of Tooele and Salt Lake; thence southerly along said dividing line aforesaid to the pass between Rush and Cedar Valley; thence west fifteen miles; thence north to the place of beginning. The same to be known as the Ophir Mining District.

SEC. 2. It shall be the duty of the Recorder to record all notices of mining claims or locations, for which he shall receive the sum of fifty cents for each name contained in the notice of location; but the Recorder shall not be obliged to file for record any notice of location unless his fees are tendered in advance. The Recorder shall provide suitable books at his own expense in which all claims must be recorded and indexed.

SEC. 3. Each individual mining claim made in this District, shall, in conformity with the United States Mining laws, consist of two hundred feet in length on the ledge or lode, with the privilege of an additional claim of 200 feet to the discoverer; all dips, spurs and angles radiating to or from the same, and fifty feet of ground on each side of the lode or ledge the whole distance located for mining purposes, but this shall not be construed as giving the right to claim any district or parallel ledge or lode within said feet, but only the one originally located.

SEC. 4. Location shall be made by placing a legible notice on the ledge or lode by either of the following methods, to-wit: On a monument of stone not less than two feet high, or on a post firmly placed in the ground not less than three inches through and three feet above the ground, or on a tree not less than three inches through. The notice shall state the number of feet claimed in the location, number claimed on each side of monument, the names of the parties locating the same, and the number of feet claimed by each locator; name by which the ledge or lode shall be known. Such notice shall hold good without record thereof for fifteen days from the date of location, unless the parties locating said claim shall be constantly at work on said claim, and in that event it shall not be necessary to record the same for thirty days after the date of location, but at the expiration of said fifteen days, if said claim is not worked as aforesaid, the claim if not recorded, is subject to relocation.

SEC. 5. Within thirty days from the filing for record of any claim, there shall be performed upon the same one day's work for each and every two hundred feet in said location, and one additional day's work for each two hundred feet in said location within sixty days after filing the same for record, which said amount of work having been duly and faithfully performed, shall hold the claim for six months; a failing to comply with this law shall be deemed equivalent to an abandonment of the claim, and under the same, subject to relocation.

SEC. 6. Whenever any claim shall have been worked to the extent of removing ten cubic yards of picked ground or two cubic yards of blasting ground to each two hundred feet, said claim shall be deemed to have complied with all requirements and demands of this district as regards work for one year. The amount of work so performed to be inspected and examined by three disinterested men selected for that purpose by the owners of the location. These men shall certify the result of such inspection to the Recorder, and if the requirements of this section have been complied with, the Recorder shall duly record the same, and issue a certificate to the effect that the provisions of the section have been complied with. For this service the Recorder shall be entitled to a fee of fifty cents.

SEC. 7. In making a record of location of any claim, the same shall be definitely described with reference to some natural or artificial monument.

SEC. 8. There shall be an annual meeting of the miners of the District held on the first Thursday in August in each year, at which time there shall be a Recorder elected for the ensuing year.

SEC. 9. The Recorder shall note upon the back of each notice of location or other instrument filed for record, the day and hour of filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record, and the Recorder shall deliver the same to the person filing the same.

SEC. 10. Any one or more persons shall have the right to locate for mining purposes any ledge, lode or deposit, and work the same through and by means of a tunnel, and any work done on a tunnel claim shall be considered as work done on the whole claim or location. The same amount of work shall be required on tunnel locations that is required to be done on other locations; said tunnel claims may be located in all cases where the person or persons making such locations desire to prospect for lodes, ledges or deposits of mineral that do not crop out or disclose themselves at the surface, or who desire to prospect anything in sight not previously located by other parties; the person or persons so locating shall state in their notice the metes and bounds of the ground they intend to prospect, provided no location shall embrace more than three thousand feet on the length of the vein, or fifteen hundred feet on each side of the tunnel. The locators of a tunnel shall be entitled to all the lodes, ledges or deposits and minerals embraced within the extent of the lines of their locations not previously located, and shall hold the same by the same rules and regulations governing other locations. The number of feet on the lead or other parallel leads and veins to be cut by the tunnel as set forth in the notice of location, shall determine the amount of work to be done; provided further, whenever work shall have been done on a tunnel location to the amount of one thousand dollars, it shall be considered as fee simple in the location, and no longer subject to the requirements of work to hold the same; nothing in Section 10 shall be construed as to prevent the location of any claim not previously located to be worked by the tunnel.

SEC. 11. When two or more veins or ledges or deposits connect or unite at any depth below the surface, and which are claimed by different parties, the oldest legitimate location shall hold, or be entitled to hold, the ledge, vein or deposit from the point of intersection downwards, but shall not be entitled to anything from the point of insection upward, unless previously located.

SEC. 12. The Recorder shall be allowed fifty cents (50 cts) for each name in any abstract of record furnished by him.

SEC. 13. The Recorder shall have the right of appointing one or more deputies, who shall act under the direction of the Recorder, and for whose acts he shall be responsible. They may be appointed and removed at the will of the Recorder of the District.

SEC. 14. The Recorder may absent himself from the District not exceeding sixty days, by leaving a Deputy Recorder to attend to the records of the District; all examinations of the records must be made in the presence of the Recorder or his deputy, and the books shall at all times in business hours be open to the inspection of the public.

SEC. 15. The mining Recorder shall hold office for one year from the date of his election, or until his successor is elected. In case of the resignation, death or removal of the Recorder from office for cause, or his voluntary absence from the District for a period of sixty days, the office shall be deemed vacant, and the Deputy Recorder shall notify the miners that an election is to be held to fill the vacant office of Recorder, stating time and place where such an election is to be held; until such election takes place, and the newly elected Recorder is qualified, the Deputy Recorder shall exercise the duties of the office.

SEC. 16. It shall be the duty of the Recorder to give at least five days notice of the time of holding the annual meeting, by posting notices in not less than three conspicuous places in the District. At the written request of not less than five miners of the District, he shall, in the manner above prescribed, issue a call for a special meeting of miners, stating the time and place when such meeting shall be held, and the object for which said meeting is called. At said meeting, no business shall be transacted other than that specified and named in the call.

SEC. 17. It shall be the duty of the Recorder to transfer the records of his office to his successor within five days after said successor shall have been elected.

SEC. 18. Only *bona-fide* miners of the District shall have the privilege of participating in any election or meeting of miners, and no person shall be considered a miner, unless he has a claim recorded according to these By-Laws.

SEC. 19. These By-Laws shall be in force on after their passage.

SEC. 20. These By-Laws shall not be altered or amended except by a majority of the miners present at the meeting.

H. C. LINCOLN, *Chairman.*

ENOCH F. MARTIN, *Secretary.*

MINERS' MEETING.

A meeting was held pursuant to notice Nov. 9th, 1870. The object of said meeting was to lay over claims which have complied with the laws, until the 1st day of June next. On motion, the Secretary of the meeting was ordered to read the By-Laws of the District.

Moved and seconded the By-Laws of the District be sustained: Carried.

Meeting adjourned *sine die.*

W. T. BARBEE, *Chairman.*

ENOCH F. MARTIN, *Secretary.*

MINERS' MEETING.

A meeting was held pursuant to notice Saturday, Nov. 19th, 1870.

On motion, Mr. J. Liddle was elected Chairman of said meeting.

The object of the meeting being to take into consideration the propriety of dividing Ophir mining District, and all important business that may come before said meeting.

On motion, a committee of three were elected to enquire whether there was such a District in existance as Camp Floyd.

Committee—Mr. Moore, Chairman, Mr. Camron, Mr. Britell.

REPORT OF COMMITTEE.

We, on examining the Records of this Ophir District, find the southern line to be the pass between Rush and Cedar Valley, about six miles south of Silverado City, and believe there is no other District known to us but Ophir, but would recommend the southern boundary of Ophir District be extended north to summit of hill, one mile south of Silverado City, passing half a mile south of Mitchel's spring.

D. E. CAMRON
CHAS. R. BRITELL,
A. W. MOORE.

On motion the report of Committee be accepted: Carried. Boundary as above was adopted.

On motion an additional By-Law be added: Carried.

SEC. 21. That the Recorder in person or through his deputies, go on the ground before filing a location for record, and see that the

proper notice and monument are placed thereon, and note on the notice and on a book for that purpose, the locality of said location. For going on the ground to file a location, he shall be entitled to a fee of one dollar.

On motion that J. M. Wallace be appointed Deputy Recorder: Carried.

SEC. 22. On motion the hills be named, carried. The hill on which the Silveropolis mine is situated be known as Silver Hill.

The hill on which the Mountain Lion mine is situated be known as Mountain Lion Hill.

The hill northwest of Mountain Lion Hill be known as Silver Chief Hill.

The second hill north of Silverado City be known as Silverado Hill.

The hill west of Silverado Hill be known as Reamer Hill.

JAMES LIDDLE, *Chairman.*

ENOCH F. MARTIN, *Secretary.*

MINERS' MEETING.

At a meeting of miners held at Ophir, and in the street near the Ophir house therein on the 15th day of January, 1871, the following proceedings were had, to-wit:

On motion Wells Spicer was elected Chairman and E. F. Martin, Secretary.

Motion made that claimants of city or town lots in Ophir cause their claims to be recorded with the District Recorder. Vote taken and lost.

On motion of Mr. S. R. Raymond it was resolved that the streets and alleys of Ophir, as shown by the plat of the survey made for Mr. Moore, be kept open as public highways: Carried.

On motion, adjourned.

WELLS SPICER, *Chairman.*

ENOCH F. MARTIN, *Secretary.*

MINERS' MEETING.

The regular annual meeting of the Miners of Ophir Mining District was held pursuant to notice on the 3d day of August, A. D. 1871. The object of said meeting being the election of District Recorder for the ensuing year.

On motion Mr. Abby was called to the chair, and Mr. Bird as Secretary. On second motion Mr. Abby was appointed Judge of election, and Mr. Bird and Mr. Cook as Tellers. E. F. Martin and H. B. Manchester, candidates. Balloting was then commenced, at the close of which on the count of ballots, Mr. E. F. Martin was found to have 262 votes and Mr. Manchester 60, B. Young 1. The Judge of the election then declared Mr. E. F. Martin duly elected by a majority of 201 votes.

EDW'D BIRD, *Secretary.*

I do solemnly swear that I will support the constitution of the United States and the laws of the Territory of Utah, and that I will faithfully discharge the duties of District Recorder of Ophir Mining District, Tooele County, Utah Territory, according to the best of my ability.

ENOCH F. MARTIN, *District Recorder.*

Sworn and subscribed to this 4th day of August, A. D. 1871, before me,

JOHN LA BLANC,
Justice of the Peace in and for Ophir Precinct, Tooele County.

MINERS' MEETING.

RECORDER'S OFFICE, OPHIR MINING DISTRICT,
Tooele County, Utah, Dec. 20th, 1871.

A special meeting of the miners of Ophir Mining District will be held at the Recorder's office, Ophir City, on Tuesday, December 26th, 1871, at 11 A. M., pursuant to following notice.

ENOCH F. MARTIN, *District Recorder.*

OPHIR MINING DISTRICT, OPHIR, TOOELE COUNTY, U. T.,
December 20th, 1871.

TO THE RECORDER OF OPHIR MINING DISTRICT:

We, the undersigned miners and claim holders of Ophir Mining District, being creditably informed that the Recorder of Rush Valley Mining District has called a meeting of the miners of said District for the purpose of changing the southern boundary line of said Rush Valley Mining District, and interfering with the northern boundary line of Ophir Mining District already established, and thereby cutting off a large portion of this district: We ask you to call a meeting of the miners of this district in compliance with the law for the purpose of entering a solemn protest against any proceeding of the kind and confirming our present boundaries.

ALVIN W. MOORE,
GEORGE ARBORGAST,
JOHN TIERNAN,
THEO. HASWELL,
L. E. GRANGER,
H. BLISS,
And about forty others.

MINERS' MEETING.

Notice.

A special meeting of the miners of Ophir Mining District was held pursuant to notice, June 6th, 1872.

E. MARTIN ESQ.:

SIR: You are hereby requested by the undersigned miners of Ophir Mining District to call a meeting of the miners of said district to meet at your office Thursday, June 6th, A. D. 1872, to take action in uniforming our district laws with the late United States enactments.

June 1st, 1872.

WM. EVANS,
JOHN LABLANC,
V. V. HALL,
LAWRENCE A BROWN,
H. F. McCARTY,
JAMES D. LOMAX,
D. J. SWEENEY,
And others.

TO RECORDER OPHIR MINING DISTRICT.

The meeting was called to order, with Mr. Lynch in the Chair and E. Bird as Secretary. Motion was made to adjourn the meeting until Saturday, June 8th, 1872, at 4 P. M., amended to 7 P. M. Carried. Adjourned.

At an adjourned meeting of the miners of Ophir Mining District, held at the Recorder's office on the evening of June 8th, J. M. Lynch in the Chair, John LaBlanc, Secretary, a committee of three were appointed to draft by-laws, and nothing further of importance was transacted, and meeting adjourned to meet June 9th at 2 P. M.

Meeting called to order June 9th, 1872, By-Laws submitted by committee, and the meeting adjourned to meet Monday, June 10th, 1872, at 7½ P. M.

Meeting called to order June 10th, 1872, at 7½ P. M. J. M. Lynch in the Chair, John LaBlanc, Secretary.
By-Laws were then read and adopted section by section, and then adopted as a whole.
On motion the meeting adjourned.

JOHN LA BLANC, *Secretary.*

BY-LAWS OF OPHIR MINING DISTRICT, ADOPTED JUNE 10TH, 1872.

SECTION 1. The boundary lines of Ophir District shall remain as heretofore established.

SEC. 2. All mining claims hereafter located in this district shall be made in conformity with Section 2nd of the United States laws of May 10th, 1872, hereto appended. A mining claim shall not exceed fifteen hundred feet in length along the vein or lode and no claim shall extend more than three hundred feet on each side of the middle of the vein.

SEC. 3. All tunnel locations shall be made in conformity with Section 4th of U. S. Laws hereto appended.

SEC. 4. Any person or persons making a location in this district, shall be required to have the same recorded inside of fifteen days from the date of such location, and such person or persons shall be required to perform $50 worth of work on said location within 90 days from date of such notice of location, and $100 worth of work within one year from date of notice.

SEC. 5. When one or more persons desire to prospect for blind leads or ledges (not making tunnel locations) the labor performed during such prospecting shall be entitled to protection, and no person or persons shall interfere with said prospecting or labor unless there be a cessation of work for the period of twenty days without the discovery of mineral, at the expiration of which time the work performed on such prospect shall be considered abandoned and belong to the party or parties first taking possession of the same.

SEC. 6. When the locators of a claim shall deem themselves to have performed the requisite yearly amount of work to comply with the law, and desire to have same recorded, they shall make affidavit before a Justice of the Peace, or notary, certified to by two witnesses that the said labor has been duly and faithfully performed, and the Recorder shall record the same, for which service he shall receive a fee of $1.

SEC. 7. The Recorder shall file and record all notices of mining claims brought to him for record, and he shall be allowed a fee of $3 each for claims of surface locations, and $5 each for claims of tunnel locations. For each abstract of location of mining claim furnished by him, whether surface or tunnel location, he shall be entitled to a fee of $3. But the Recorder shall not be obliged to file on record any notice or furnish any abstract unless his fees are tendered in advance.

SEC. 8. There shall be an annual meeting of the miners of the district held on the first Thursday in August in each year, at which time there shall be a Recorder elected for the ensuing year.

SEC. 9. The Recorder shall note upon the back of each notice or other instrument filed for record the day and hour of filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record, and the Recorder shall deliver a copy of the notice to the person filing the same to be placed on the monument of the claim.

SEC. 10. The Recorder shall have the right of appointing one or more deputies who shall act under the direction of the Recorder, and for whose acts he shall be responsible. They may be appointed and removed at the will of the Recorder of the District.

SEC. 11. The Recorder may absent himself from the District not exceeding sixty days, by leaving a Deputy Recorder to attend to the recording of the district. All examinations of the records must be made in the presence of the Recorder or his deputy, and the books shall at all times in business hours be open to the inspection of the public.

SEC. 12. The Mining Recorder shall hold office for one year from the date of his election, or until his successor is elected. In case of the resignation or death or removal of the Recorder from office for cause, or his voluntary absence from the district for a period of sixty days, the office shall be deemed vacant, and the Deputy Recorder shall notify the miners that an election is to be held to fill the vacant office of Recorder; stating time and place when such election is to be held. Until such election takes place, and the newly elected Recorder is qualified, the Deputy Recorder shall exercise the duties of the office.

SEC. 13. It shall be the duty of the Recorder, to give at least ten days' notice of the time of holding the annual meeting, by posting notices in not less than six conspicuous places in the district. At the written request of not less than five miners of the district, he shall, in the manner above prescribed, issue a call for a special meeting of miners, stating the time and place when such meeting shall be held, and the object for which such meeting is called. At said meeting no business shall be transacted other than that specified and named in the call.

SEC. 14. It shall be the duty of the Recorder to transfer the Records of his office to his successor within five days after said successor shall have been elected and qualified.

SEC. 15. Only *bona-fide* miners of the district shall have the privilege of participating in any election or meeting of miners, and no person shall be considered a miner unless he has a claim recorded in the books of this district, or has acquired mining property in this district, by deed or transfer.

SEC. 16. These By-Laws shall not be altered or amended except by a majority of the miners present at the meeting; and no miners' meeting of this district shall be considered a *bona-fide* meeting for the transaction of any business, unless there be present fifteen *bona-fide* miners of the district.

SEC. 17. The names of the different hills as fixed by previous By-Laws, shall remain the same.

SEC. 18. It shall be optional with the locators of a claim whether they have their notice filed by the Recorder or his Deputy on the ground. The Recorder will be allowed a fee of one dollar per mile, both going and returning, for filing a claim on the ground.

SEC. 19. All previous By-Laws conflicting with the foregoing are hereby repealed.

I hereby certify the foregoing to be a true and correct copy of the By-Laws of Ophir Mining District, as adopted June 10th, 1872.

ENOCH F. MARTIN, *District Recorder.*

J. W. COHILL,
P. KERVIN,
S. C. EWING.
Committee.

Pursuant to Notice, a miners' meeting was held in Ophir Mining District, December 30th, A. D. 1874, at two o'clock P. M., for the purpose of revising the District By-Laws, in relation to the number of feet to be allowed on each side of the middle of a vein, lode or ledge, hereafter in this district.

Mr. Wm. M. Pipkin was called to the chair, and G. W. Ramsey as Secretary.

The meeting was called to order by the Chairman, and the following was offered as an amendment to section Second of the By-Laws of Ophir Mining District, adopted June 10th, A. D. 1872, viz:

Resolved, That the number of feet in all claims located hereafter to be allowed on each side of the middle of a vein, lode, ledge or deposit of mineral bearing rock, in Ophir Mining District, as set forth in section 2d of the By-Laws of June 10th, 1872, be and is hereby amended to read "one hundred feet on each side of the middle of the vein."

It was moved and seconded that the amendment be adopted: Carried.

There being no further business, the meeting was adjourned.

WM. M. PIPKIN, *Chairman.*

G. W. RAMSEY, *Secretary.*

TERRITORY OF UTAH,
County of Tooele. ss.

H. S. L. Bryan, being first duly sworn according to law, deposes and says:

I am the Recorder of Ophir Mining District, County of Tooele, and Territory of Utah, duly elected, qualified, and acting as such Recorder, and as such am the legal custodian of the Records and Mining Laws of said District. I have carefully compared the foregoing with the original, and know it to be a true, full, correct and complete copy of the miners' laws of Ophir Mining District, as they exist in my office.

Witness my hand this second day of August, A. D. 1875.

H. S. L. BRYAN, *District Recorder.*

Subscribed and sworn to before me, this 2d day of August, A. D. 1875.

[SEAL.] JOHN LA BLANC, *Notary Public.*

BEAVER COUNTY.—LINCOLN MINING DISTRICT.

At a general Meeting of the miners of Lincoln Mining District in Beaver County Utah Territory held on the 16th day of January 18,71 the following by laws for the government and regulation of said District were unanimously passed and adopted

SEC I Be it resolved that this district be known as the Lincoln Mining District, and that the center point or monument shall be a point of rocks lying within four rods of Grisnays Spring in a northerly direction—That the boundaries of said District shall be as follows viz; Beginning at the center point above discribed, Thence west four miles. Thence south six miles, Thence East Eight Miles, Thence North twelve Miles, Thence west Eight—, miles Thence South six miles to a point four miles west of the center of said district, Containing Ninety six square miles

SEC II A Recorder shall be elected by the Miners of said district, whose duty it shall be to Keep a true full and correct record of all Claims located in said district, and who shall Keep a book or books of record in his office open to inspection of the public

SEC III The Recorder shall have authority to appoint a Deputy or deputies who shall perform the same duties as the Recorder but should the recorder and his deputies absent themselves from the district for a period of thirty days or fail to perform the duties of their office, then the office shall be Considered vacant, and an election shall be held to fill the vacancy

SEC IV The Recorder shall receive for his fees the following For Each name recorded 25 Cents For filing notice of assessment and surveying work $1.00 For abstract of title for each name 50 Cents The Recorder is not required to file or record claims unless his fees are tendered in advance—

SEC V The recordr shall hold his office for the period of one year from the first monday of January and until his successor is Elected

SEC VI That any person or persons who may hereafter discover any quartz ledge or lode of Mineral bearing rock, ore, or deposite of Mineral shall be Entitled to One claim thereon by right of discovery and One claim Each by location

SEC VII That a quartz or mining claim shall consist of two hundred feet on the lead or lode, with all dips spurs, angles and variations, and also the right of drainage tunneling and such Other privileges as shall be necessary to the workings of said claim

SEC VIII The locator of any quartz claim on any lead or lode or mineral bearing rock or ore shall at the time of locating place a substantial monument or stake at the discovery claim or at the End of said Claim or Claims on which shall be a written or printed notice, specifying the name or names of the locators, the number of claims located, the name of the ledge or lode, the day, month and Year the same was located and recorded.

SEC IX All claims shall be recorded in the district recorders office within Twenty (20) days from the time of posting notice of location thereon, Otherwise the claim shall be Considered abandoned and liable to relocation but in case of the absence of the Recorder or his deputies the location shall be Considered valid for any time during his absence

SEC X All quartz claims or mineral deposites recorded in accordance with the provision of these laws shall entitle the person or persons, to hold the same for his Own use, his heirs and assigns for One year Provided that within sixty (60) days from and after filing notice of lacation, he or they shall perform or cause, to be performed on said ledge or deposite of mineral bearing rock or Ore the following amount of labour and work to wit For Each claim of two hundred feet there shall be sunk a shaft or tunnel not less than Two feet in depth, said shaft contain not less than twenty square feet surface measurment

The Recorder or his deputy is required to go on the ground and survey and measure said work and if in his Opinion the amount of work has been done he shall record said work

SEC XI That the amount of work and labor required to be done in Sec X shall be performed before the first day of July in Each succeeding year and upon failure of the party or parties to perform said work said claim shall be considered abandoned and subject to relocation

SEC XII The laws of this district may at any time be amended by the miners of the district by five bonafide miners serving notice on the recorder requesting him to call a meeting for that purpose, The recorder shall post a notice to that Effect in his Office and also at Two public places within the district at least ten days previous to the time set for holding said meeting No person shall be allowed to vote at a meeting or an Election who does not own or hold some actual mining interest in this district Ten bona fide mine or claim owners attending said meeting, shall be considered a quorum for the transaction of business The Recorder shall act as secretary of all meetings and the proceedings of such meetings shall be recorded in the Record Books of the district. In case of absence of the recorder his deputy shall perform the duties as above stated The proceedings of such meetings shall be Considered valid and binding as the laws of the District, But in no Case can the laws be amended to effect the Original titles or locations made prior to said amended laws—

On motion James H. Rollins was elected Recorder for the term of One year from the first day of January 1871

SEC XIII The Recorder shall make a record of the appointment of his deputy or deputies in the records of this district.

JAMES H ROLLINS
D K GORDON
ISAAC GRUNDY
JUL BAUSMAN
SAMUEL LEWIS

At a meeting of the Miners of Lincoln Mining district for the purpose of making amendments to the By Laws of Lincoln district and to transact all other business that might be brought before the meeting, Notice having been posted as required by Law. Thirty four miners were present and made Resolutions and amendments as follows

At One OClock P. M. the meeting was Called to Order by Recorder Rollins,

A motion made and Carried that Wm T. Bell act as Chairman and Fred L Corwin as secretary

ARTICLE 1st Amendments made and read by the chairman Viz In the location of all claims within this mining district Two (2) or more claimants shall be Considered a Company

Carried by ⅔rd vote

ARTICLE 2nd Claim holders at all company Elections in which said claimant or Claimants are directly interested shall be entitled to One vote to Every foot Owned by said Party or parties in Said claim or Company

Carried by ⅔ vote

ARTICLE 3rd A record shall be made upon the books of the mining recorder of all meetings held by any company within this district in regard to assessment work of said Companies' Ledge, should said company fail to make such record, Then such meeting shall not be considered Valid

Carried by ⅔D vote

ARTICLE 4th All persons that have been or will be located in any of the Claims of this district shall do or Cause to be done his entire portion of assessment work within seven days after receiving notice that said work is due, should Claiment fail to commence to do or cause such work to be done within the seven days required It shall then be lawful for the Mining Recorder of this district to expose for sale after a notice has been posted in a conspicuous place within his office for Ten days said delinquents share or so much Thereof as may Cover said claiments assessments & Costs to the highest cash Bidder the purchaser to receive a certificate of sale from the Recorder or his deputy which shall be considered a lawful conveyance,

Carried by ⅔ vote

ARTICLE 5th Be it understood that the Recorder that the Recorder shall make it a part of his duty to make all such sales as required in Article 4th and receive fees for serving as follows; For Certificate of Sale Fifty cents For making sale, Two Dollars, Posting

Notice Fifty cents For making Record of meetings One Dollar should the Recorder fail to or refuse to Comply with this article, his officce shall be considered vacant and an election be held after Ten days public notice signed by five miners of this district

Carried by ⅔d vote

ARTICLE 6th Any Company or Companies consolidating their Claims, shall after having Compleeted all assessments work required by the Laws of this district for one year shall on the 2D years work have the privilege of consolidating the work of all the different locations within the consolidation upon one particular shaft that they may agree upon

Carried by ⅔D vote

This is to Certify that the foregoing is a True & Correct Abstract of the by Laws & Mining Laws of Lincoln District Beav County Utah Ter this 21st day of September One Thousand Eight hundred and Eighty

JAS. H ROLLINGS *Dist Recorder of Lincoln Dist*

BEAVER COUNTY.—WASHINGTON MINING DISTRICT.

WASHINGTON DISTRICT *Beaver County Utah June* 9th 1871

Minutes of meeting of miners to organize said district Motioned seconded and carried that Davis Warner take the chair.

Motioned seconded and carried that Jno. F. Cavanagh act as Secretary

Motioned seconded and carried that the following by laws be adopted from date June 10th 1871.

ART. I. That said district be known as the Washington District. And that the following be the boundaries of said district Commencing at monument on Wild Cat ledge and running from thence 1½ south; thence 1½ west; thence 6 miles north: thence 12 miles East thence 6 miles south thence 10½ miles.

ART. 2. That there shall be an officer for said district to be called the Recorder. Who shall be elected on the 9th of June by the miners of the district at their annual meeting.

ART 3. The Recorder shall procure and keep a substantially bound book to be called the Book of locations in which he shall record all notices of location of claims whether for mining or other purposes connected therewith.

ART. 4. He shall carefully keep and preserve all original papers filed with him for record and deliver them upon proper demand to the person or persons entitled to receive the same and faithfully do and perform all other acts and duties required of him by these laws.

ART 5. The Recorder shall hold office for one year or untill his successor is duly elected provided however that he may be removed at any time for misconduct in office or neglect of duty as prescribed by the laws of this district

ART 6. The record books shall be kept within. the limits of the District and shall be kept open during business hours for examination and inspection.

ART 7. The Recorder may appoint a deputy under him for whose official acts he shall be held responsible.

ART 8. He shall note upon the back of each notice of location or other instrument filed for record the day and hour of filing thereof and such instrument shall be deemed recorded from and after the date of such filing for record

ART 9. When a claim shall have been located and recorded he shall upon request make and deliver to the claimant his agent or attorney a certificate of such location and record over his official signature which certificate shall be conclusive evidence of the facts therein stated.

ART. 10. All examinations of the record books must be made in the presence of the Recorder or his deputy. And when his term of office shall expire the Recorder shall turn over to his successor all books papers and other property pertaining to his office.

ART. 11 Locations shall be made by placing a legible notice on the ledge or lode by Eather of the following methods (to wit) on a monument of stone not less than two feet high or on a post firmly placed in the ground not less then three inches through and 3 feet above ground. The notice shall state the number of feet claimed in the location the names of the parties claiming the same and the name of the lode or ledge Such notice shall hold good without record for 15 days but at the expiration of said fifteen days the claim if not recorded shall be subject to relocation.

ART 12. Whenever any claim shall have been worked to the extent of removing 10 cubic yards of pick ground or two cubic yards of blasting ground to each 200 feet said claim shall be deemed to have complied with all requirements and demands of this district as regards work for the space of one year. No amount of work done shall hold the claim unless the same is recorded as herein provided said assessment work must be done within sixty days of the time of making the location.

ART. 13. The Recorder shall be authorized to demand and receive for his services the following fees (to wit) For each lode recorded by any company of persons $3; for Each claim. otherwise recorded. 50 cents for Each official certificate 50. cents, for each deed bill of sale or power of attorney. one dollar, for each mile necessarily travelled in going to or returning from the claim 25 cts—

ART. 14, Each claimant shall be entitled to hold by location (200) feet on any ledge in the district with all its dips spurs and angles offshoots outcrops depth widths variations and all the minerals and other valuables therein contained, the discover of and locater of a new lode being entitled to one claim extra for discovery.

ART. 15. The locaters of any lead lode or ledge in the district shall be entitled to hold on each side of the lead lode or ledge located by him or them (200 ft) any lateral veins lodes or leads bearing minerals within the space of said 200 feet on each side of the main ledge, shall be considered as claimed by and entirely belonging to the locater or locaters of a lode and his or their assigns and part or parcel of the same

ART 16. It is hereby made the duty of the Mining recorder upon written application of 25 miners to call a meeting of the miners of the district by giving a notice of 20 days through the nearest newspaper published in Utah which notice shall state the object of the Meeting the place and time of holding the same or by posting in at least three conspicuous places in the district said notices.

ART. 17. No person shall be entitled to vote at any meeting of miners unless he owns a bona fide interest in a mining claim in the district.

ART 18. When any dispute shall arise respecting claims in the district each party shall select a disinterested miner to act as arbitrator to settle the matter in dispute and if said arbitrators shall be unable unable to agree they shall choose another miner or referee whose decision shall be final All Arbitrators and referees shall be chosen from the Miners of this district

ART. 19. These laws shall take effect and be in force from and after their passage with the exception of Art. 6, Which also comes in force on the 20th June 1871

DORNS. B. WARNER *chairman*

JNO. F. CAVANAGH *Secretary*

BEAVER COUNTY.—BEAVER LAKE MINING DISTRICT.

ORGANISATION OF BEAVER LAKE MINING DISTRICT, BEAVER CO UTAH

At a Miners Meeting held here 12th day of Aug. 1871—It was

1st *Resolved* that the Distr. be known as the Beaver Lake Mining District

2d *Resolved* that the District extend 8 miles north. 8 miles south, 8 miles west, and 8 miles east from the springs

3d *Resolved* that H C Eves is elected recorder of this District

4th *Resolved* that each Locator shall be entitled to 200 ft on the course of a ledge, and the Discoverer to 200. ft. additional for discovery—

5th. *Resolved* that when a Locution is made, there shall be erected thereon a post or Monument with notice of Locution

6th *Resolved* that the notice must be filed for record within 20 days from date of Location, with the Recorder of the District or his Deputy and work must be done and recorded within 30 days from date of Record.

7th *Resolved* that there must be 2 days work done for each claim of 200. ft on each Location

8th *Resolved* that no claim can be relocated until after the expiration of one year from date of Record—

9th *Resolved* that the Recorder shall receive 25 cts. for recording each name, & 10 cts per mile additional when required to go more then one mile from camp

10th *Resolved* that the Recorder shall not absent himself from the District for more than 20 days without appointing a Deputy,

G. W. DONLY
H. C. EVES,
FRANK ROLAND
HUGH HOUSTON
A. S. HUTCHINSON
Organizers.

BEAVER LAKE DISTRICT *Sept 2d* 1872

At a Meeting of Miners Major Holt was elected Chrman & S Smeeton Secy.
The following local Laws were adopted

ART. I. This District shall be bounded as follows viz: Commencing at the junction of the Beuver River & the Salt Lake & Pioche stage Road & following same Road west 10 miles thence north 10 miles, thence east 10 miles, thence south to point of Beginning

ART. II. This District shall be called Beaver Lake District.

ART. III. The election of Recorder shall be held annually on the 1st Monday of Septr W. B. Duvall being duly elected Recorder unless otherwise removed, shall continue in office until Septr 1873—

ART IV. The fees for recording shall be 3^{00} for each mining claim of 1500. ft. or less in length, including the issue of certificate of Record, He or his Deputy shall be obliged to visit a claim & note its Boundaries before Recording the same fee for recording a Mill site or other locations; & 2^{00} for each certificate of labor.

ART. V. The Recorder of his Deputy after Surveying a claim shall be authority sufficient to issue a certificate of labor.

ART. VI. The laws of this District with respect to width of mining or other claims, with this exception shall be 100 feet on each side & the amt. of Assessment labor thereon etc shall be according to the U S Mining laws approved May 10th 1872—

ART. VII. A notice of location shall be filed at the recorders Office within 5 days after date of location & recorded within 30 days, & sufficient performed to the satisfaction of the recorder in accordance with the Mining laws of the United States in said 30 days,

ART. VIII. All claims located prior to the act of May 1872, & no improvements thereon, to the above date shall be subject to relocation. Claims located after the passage of said act. shall not be subject to relocation, other than specified in the U. S. laws above mentioned, and at the end of the full year. at which the required assessment labor shall be performed.

ART. IX. The Recorder shall not knowingly issue a certificate for one & the same claim to different persons unless strictly in accordance with the U. S. Mining Laws.

ART. X. The Records of the District shall be free & open always in the presence of the recorder to the inspection of interested parties, during Office hours

ART XI. We, the Miners of the District unanimously declare that the spring of water now known as the Fairview spring is hereby declared free and open for the use of the Miners in this District

ART. XII. It shall be the duty of the Recorder on receiving a written request from 3 or more Miners of this District to call a public meeting by posting written notices ten days prior to the date of meeting. specifying therein the nature of the business to be transacted and posting the same on his Office door and in some other conspicuous place or places as reasonably necessary

MAJ H. HOLT *Chairman*

S. SMEETON *Secy*

BEAVER LAKE *Septr 1st* 1873

At a meeting of the Miners of this Distr, on the above date for the Election of recorder &c., Maj H. Holt, Chairman S Smeeton Secy, Geo B. Thompson was duly elected Recorder, & the Mining Laws revised

[The only revision made was in regard to making locations, It requires the Locator to describe his claim in such a manner that it can be readily found by the description]

BEAVER LAKE *Sept 7th* 1874

A Miners Meeting held for the purpose of electing Recorder, &c Andrew Lyons chairman W. H. Burnison Secy, J. W. Mooney was elected Recorder.

No change of any not in By Laws of District,

The Next Meeting was held in 1879, (Mch 11th) S Shepherd Chrman J. W. Mooney Secy Art, 6th was changed so far as it related to width of claims, Allowing 300 ft on each side of vein, in place of 100, No other Changes

Octr 1st 1880

W H MONAHAN *Depty Recorder*

IRON COUNTY.—IRON SPRINGS MINING DISTRICT.

ORGANIZATION OF THE IRON SPRINGS IRON AND MINING DISTRICT.

Miners Meeting

IRON SPRINGS IRON COUNTY UTAH TERRITORY *August 12th A. D.* 1871.

At A Meeting of the sitizens of this Place this Day Resolve themselves into A Miners Meeting. by Calling Joseph. H. Smith to the Chair. And Thomas Thorley to Act As Secretary of the Meeting.

whereupon the Meeting was Colled to order by the Chairman. who Anounced that Motion was in order.

It (was) moved, Seconed. and Carried that the following Described Limits be Declared A Mining District by Virtue of the Law of Congress Approved July 26.th A. D. 1866.

Begining at Antelope Springs, thence Easterley to A Point where the Road that Leads from Antelope to Iron Springs. Thence—South along the East Boundry Line of the Pinto Iron Mining District to Duncans Ranch. Thence—Along the Road Leading to Cedar City. to where the Armoney And Kannara Road Crosses the Same. Thence—Due North to Coal Creek. Thence West to A Point Due North of Antelope Springs. Thence—to the place of Begining. And that the Same be Declared, and known as the Iron Springs—Iron and Mining District.

It was further noved. and Carried, that A Recorder be Elected by this meeting Whose Term of office Shall be two Years, or untill His Successer. be Elected. And Qualified.

It was further moved and Carried. that the Bylaws of the Pinto Iron Mining District be Adopted, And are Hereby Declared to be the Bylaws of this District.

It was further Moved and Carried, that the Recorder of this District. Obtain A Copy of the Pinto Iron Mining District Laws, and Journalize the Same. and make them Appendidge to these Proceedings.

It was further moved and Carried that the Proceedings of this meeting be Signed by the Chairman and Secretary of the Meeting, and Placed in the Hands of the Recorder Elected, who shall Reserve the Same.

It was further moved and Carried. that the meeting proceed to the Election of A Recorder whereupon Joseph H. Smith was nominated and unanimously Elected Recorder of the Iron Springs Iron and Mining District for two years. from this Date.

It was further moved and Carried, that this meeting Adjourn Sine die.

As Witness our Hands, and Subscribe to in the Presence of the undersigned Attesting Witnesses this the day and date first written.

Signed JOSEPH H. SMITH—*Chairman.*

THOMAS THORLEY *Secretary.*

Witnesses
JOSEPH. H. SMITH
THOMAS THORLEY
JOSEPH. S. SMITH
JOHN. HARRIS
JAMES RUSSELL
JOSEPH. H. ARMSTRONG
CHARLES WILLDEN

BYLAWS OF THE IRON SPRINGS IRON AND MINING DISTRICT.

SECT 1st All Discoveries. and Locations on any Lead, Lode. or Deposit in said District for Mining Purposes to be vallied Shall be Recorded And an application for Record of Said Discovery and Location Shall be Filed with the Recorder within 20 days from the Date of Discovery or Location.

SECT 2nd All Leads, Lodes, or Deposits Shall be known or Disignated by A name, and no two Leads. or Lodes shall bare the Same name in the District.

SECT 3rd Claims Located on a Lead or Lode. after the Discovery Claim. Shall be known as Extentions, and Shall be numbered by the Locator from the Discovery Claim numeracly with the Distance, and as near as may be the Course.

SECT 4th No forfiture of A Claim on a Lead. or Lode in this District Shall be Recognized, or Legal through the neglect of the officers to Properley Qualify, or Discharge their. Duty. Provoided the Miner can prove up His Claim before the Recorder by two Witnesses, He Shall Hold the Same if A Citizen of the District or Represented as the Constitution Prescribes.

SECT 5th One Hundred (100) feet shall allowed on each side of every Lead, or Lode, of mineral Located for Mining Purposes in this District for dumping Distance, or Room to work said Lead, or Lode. Be it further enacted. that the Recorder of this District shall not Record A Claim within one Hundred (100) feet of any Lead, or Lode Filed for Record, or Recorded in this District, unless. the Applicant Can prove to the satisfaction of the Recorder. that He Has discovered a seperate, and well Defined Lead or Lode within the Distance of one Hundred (100) feet of a Recorded one, when it shall be the Duty of the Recorder to Record the Same as other Claims.

SECT 6th Claims for Water for Mining Purposes in this District Shall be Disignated by meets and Bounds and Recorded as other Mining Claims.

SECT 7th Any person who Shall remove. Alter, Deface, or molest in Any maner whatever, Any mound, Stake. Mask. or Notice, placed on any Lead, Lode, or Deposit of Mineral. or Water Claim in this District, Shall forfit all Right as a Miner and be for ever Disqualified to Hold any office of Honor or trust, or vote in this District.

SECT 8th Wheras the Government of the United States in its Wisdom. Has deemed it Right and Proper to offer as a Reward of two Hundred (200) feet to any Aligion to Discover any Lead, Lode, or Deposit of Rock Bearing Gold, Silver, Bismoth Cinabar &C in place. therefore be it ordained that all Discovery Claims on any Lead, Lode, or Deposit and not to Exceed two Hundred (200) feet in Length and Bredth in this District. His Hereby Declared to be Real-Estate and not subbed to Any forfiture by any Local Laws, or Customs.

SECT 9th *Be further Ordained* that when any Individual or Company. Incorperate. or Private, who shall sink three feet Anualy untill $1.000 worth of Labor Consectively Shall be done, on Any Lead, or Lode, or Deposit in this District owned by them on any Mining Claim, the Same Shall be, and His Hereby Declared to be Real Estate, and Shall not be liable to forfiture by any Local Laws or Customs.

SECT 10th *Be it further Ordained*, that A Water Claim in this District, Located for mill Purposes. When there are no Prior Rights Required, and water on Said Claim be turned, or Directed from its Natural Chanel or Course for mining Purposes the Same is Hereby Declared Real-Estate, and not subject to forfiture, by any Local Laws, or Customs.

SECT 11th *Be it further ordained*, that in addition to the Duties of the Recorder, as Spesified in the Constitution, and Bylaws of this District, that it Shall be His Duty to post A Notice of the Election of Recorder 20-days Previous to Said Election. and in two or more Public places in the District Previous to said Election day. It Shall further be the Duties of the Recorder, to call a meeting on the Petition of a Respectible number of the Miners of the District at any time. by giving 10 days notice of the same given time, and Place of Said meeting. in at Least two Notices posted in Said District. I shall be the Duty of the Recorder to give A Certificate of a Location to Any Person Having a Location Recorded for the Sum of Fifty Cents.

SECT 12th *Be it further ordained*, that any Person Discovering and Locating Iron-ore Deposits. Coal. Led. or Zink and Having the Same Surveyed by the County Surveyor of the County of Iron. and Recorded by the County Recorder Shall not Have the Same Validity, as if Recorded by the District Recorder.

SECT 13th *Be it further ordained*. that it Shall not be Lawfull at any time for the Miners of this District. to pass any ordanance, or Laws, Efecting the Validity of the ownership, or Title of any Minor Claimant. of feet in this district, Acquired Previssions to this date, under the Laws of this District, or that Shall be Acquired under the Laws passed this day.

SECT 14th *Be it further ordained*, that before the Recorder (of the District) Shall act He Stake, and Subscribe an oath of office before a Justice of the Peace, or other Ministerial officer, Swearing, or affirming that He will faithfully observe, and Execute the Laws of the District pertaining to His office, and the Laws of the Territory, and of the United States. Touching the interest thereof, which oath of office Shall be Filed with the Justice of the Peace or other Ministerial officer, by whom the oath may be taken, and a Copy thereof to be Filed in the office of said Justice of the Peace.

SECT 15th The Transfer of A Mining Claim in this District Shall be Acknowledged before the Recorder of the District, and by Him Recorded before the Same Shall be Valid.

SECT 16th The Recorder of this District, Shall be allowed $2·00 for Recording each Claim, and $2·00 for taking the Acknowledgment of A Transfer. and the Recording of the same and $1·00 for Filing an Application for Record of Each Claim.)

The following is the Amendment to the fore going.

SECT 17th *Be it further ordained*, Whereas the Government of the United States in its wisdom Has deemed it Right And proper to offer to Any Person Discovering and Locating Any Vein. Lead, Lode or Deposit of Mineral or Rock in place Bearing Gold, Silver, Cinabar, Led Zink, Copper, Iron, or other Valuable Metal. to the Extent of Fifteen Hundred (1500) feet in Length And Six Hundred (600) feet in Width, As Provoided in Section 2.333. United States Mining Law. Approved May 10th 1872. And if the Discoverer, or Locator, do not File for Record, and Have the Same Recorded by the District Recorder within 20-days from date of Location, He Shall forfit all Right. and Title, to Said Discovery or Location.

I Hereby Certify, that the fore-going is a true and Correct Copy, of the Constitution, and Bylaws. of the Iron Springs Iron and Mining District. Iron County. Utah Territory. As found upon the District Records. in my office.

JOSEPH, H. SMITH. *Recorder.*

MINUTES OF A MINERS MEETING HELD AT THE HOUSE OF JOSEPH, H. SMITH IN CEDAR CITY, COUNTY OF IRON. AND TERRITORY OF UTAH.

Aggreeable to appointment, A few of the Miners & Interested Parties in the Iron Springs Iron and Mining District Met at the House of Joseph, H. Smith on the 12th day of August A, D. 1876. at 2-O-Clock P, M, for the Purpose of Electing A Recorder, also to transact such Business as may be brought before the meeting.

Whereupon Joseph, H. Armstrong was Called to the Chair. and Joseph. H. Smith to Act as Secretary of the Meeting.

the Chairman J. H. Armstrong Announced the Business of the Meeting.

on motion by Charles Willden, that Joseph. H. Smith be Re-Elected Recorder for the Iron Springs Iron and Mining District. Seconed by Joseph. S. Smith Carried, unanamous.

on Motion by Joseph. H. Smith, that we make a little alteration, in the Boundery Lines of the Iron Springs, Iron and Mining District, as follows to wit)

Commencing at what is known as the Oak Springs Gap. Thence—Southerly to Duncans Ranch, Thence Easterly to A Point Due South of Chaffins Grist Mill Cedar City. Thence Northerly to A Point Due East of the Rush Lake. Thence Westerly to A Point Due North of Oak-Spring Gap. Thence Southerly to Place of Begining Seconed by Charles (Willden) Carried Unaninous

On Motion by the Chairman that this meeting Adjourn. Seconed by Joseph. S. Smith. Carried Unanamous. Meeting Adjourned Sine Die.

JOSEPH. H. ARMSTRONG, *Chairman*

JOSEPH. H. SMITH. *Secretary*

BEAVER COUNTY.—SAN FRANCISCO MINING DISTRICT.

SAN FRANCISCO DISTRICT MINING LAWS

At a Meeting held this 12th day of August 1871 at San Francisco District Beaver County Utah Territory. We the Miners assembled for the purpose of organizing Said San Francisco District and for protection and regulation of our several interests as well as for those who may hereafter become claim owners of Said District do hereby adopt the following laws: "to wit"

ARTICLE 1ST

Resolved. That this District shall be known to extend seven miles North from the Wah Wah road and thence running west to the foot hills or Wah Wah Valley thence Easterly to Beaver river valley thence along the foot hills of said valley in a Northerly—direction the above mentioned distance and to be known by the name of San Francisco District

ARTICLE 2ND

Resolved. That each locator shall be entitled to 200 feet by location and the discoverer to be entitled to 200 feet additional

ARTICLE 3RD

Resolved, that the locator shall have ten days from date of location to file the same for record, and twenty days—additional time to do the necessary work to hold said location for one year from date of location

ARTICLE 4TH

Next. necessary to be done for the entire location to hold good for one year from date of Location is to be ten-days work or two days for every claim contained in a location and the work to be recorded

ARTICLE 5TH

Resolved. that we elect a Recorder for the term of One year from date to remain in the District or in his absence to appoint a deputy to remain until the return of said Recorder; and the Recorder or his Deputy shall for each name so recorded be entitled to 50 cents and it shall be his duty to go on the ground of a claim or claims if requested by the locator

ARTICLE 6TH

It shall be the duty of the Recorder or his deputy to get suitable books for record and said Books to be opened to the inspection of the Miners of said District and others who wish to see them.

ARTICLE 7TH

At any time when the miners to the Number of twenty assemble for the purpose of making any desired change in the laws of the District. it shall be the duty of the Recorder or his deputy to make such known by posting up at least three posters in said District.

A vote was taken to form a new District And Carried unanimously. Charles O Neil was elected secretary. L J McConnell was elected Recorder

It was moved and seconded that these By Laws be published in any Paper within said County for the term of thirty days. Carried

The Meeting then adjourned

(sg) J. R. LINDSAY, *Recorder.*
by W H MEEK *Deputy*

FRISCO, *Sept.* 30*th* 1880.

BEAVER COUNTY.—SUPERIOR MINING DISTRICT.

MINING LAWS OF SUPERIOR MINING DISTRICT BEAVER COUNTY UTAH TERRITORY.

At a miners meeting in Superior Mining District in the County of Beaver Territory of Utah the following proceedings were had.

On motion of S. L. Baker the following resolutions was unanimously adopted.

Resolved, That we proceed to organize a Mining District with metes and bounds as follows, (To wit) Commencing at the center of the Shaft. of the Indian Queen Mining Company. which is upon the Indian Queen Copper Mine Said mine being Situate lying and being in a certain Range or Cluster of Mountains known as the Middle Range said Mountains being about Eight (8) miles more or less from the Town of Shenandoah. and in a direction a little west of north from said Town in the County of Beaver Territory of Utah, said mining District being three miles in length in a due line East and West. and Two (2) miles in Width North and South. The aforesaid Shaft or Initial point being in the Centre of said Mining District said District to be called and known as "Superior Mining District."

H. H. Smith submitted the following regulations and Laws for the Government of said Superior Mining District

SECTION I All claims in this Superior Mining District shall be located in the following way and manner (towit:) By posting a notice upon the claim which Notice shall state the number of feet claimed the date of the claim and the full names of the parties claiming the same which notice shall hold said claim exclusive of work or Recording for the Term of Thirty (30) days

SEC II All Mining claims in this District shall be Recorded in the County Records. of Beaver County, Utah Territory within Thirty days. from and exclusive of the date of Location and all claims not so recorded shall under and by force and virtue of these Laws be held and considered as abandoned and be subject to be reclaimed, relocated held and Recorded as though no previous claim had been upon the same.

SEC III Within the term of Ninety (90) days from the date of Record these shall be done and performed upon each claim (The word claim in these Laws Meaning the aggregate or whole number of feet claimed by any party or parties.) in this District work and labor towards developing said claim as follows (Viz:) Five (5) cubic feet of earth gravel, rock, or ore, Shall be removed in the nature of a cut shaft or Tunnel on said claim for the purpose of developing the same as aforesaid for each Two Hundred (200) feet in and of said claim and if said work and improvement is not so done and performed said claim shall be held to be and considered as abandoned the same as in Section 2. of these Laws.

SEC IV The amount of work and improvement as defined and required in Section 3. of these Laws shall hold a claim one year from date of Location and the same amount of Labor and improvement done and performed within the first ninety (90) days of each succeeding year shall hold said claim for the term of One year.

SEC. V. The Laws may be altered changed and amended at any time by a call of (5) Five Miners having Mining interests in said District giving Ten (10) days notice of the time and place of meeting by posting at least Five (5) written Notices of said meeting in as many public places and conspicuous places in the aforesaid County.

Resolved that a Copy of these By Laws be posted in the District and that the said Laws be recorded in the County Recorders Office of said County of Beaver Territory of Utah

All of which Resolutions Laws and Regulations were unanimously enacted passed and adopted Superior Mining District Beaver County Utah Territory March 15th 1872.

J H. COOK *Chairman*

LLOYD FRIZELL *Secretary*

BEAVER COUNTY.—ROCKY MINING DISTRICT.

BY LAWS OF ROCKY MINING DIST. BEAVER COUNTY UTAH TERRITORY.

At a meeting of the miners of Rocky Mining District Beaver County, U. T. held March 27th 1872. A. S. Potter was elected Chairman and D. R. Severance, Secretary when the following By Laws for the government of said District was unanimously adopted.

Be it Resolved, that this District be known as the Rocky Mining District and shall comprise all that certain isolated chain of mountains, situated about six miles Northerly from Shenandoah City and two miles Westerly of Beaver River.

SECTION 1st That a Recorder shall be elected by the miners of said district, whose duty it shall be to keep a true and faithful record of all claims located in said District and who shall keep a book or books of record in his office open to the inspection of the public during all business hours

SECTION 2nd. That the Recorder shall have the authority to appoint a deputy or deputies, who shall be required to perform the same duties as the Recorder.

SECTION 3d That the Recorder shall receive for his fees the following viz: for each claim of two hundred feet, the sum of fifty cents; for filing notice of assessment and surveying work the sum of two dollars; for Abstracts of titles, for each name the sum of fifty cents; and the Recorder is not required to file or record unless his fees are tendered.

SECTION 4th That the Recorder of this District shall hold his office for the period of one year from the date of his election and until his successor is elected.

SECTION 5th That any person or persons who may hereafter discover any quartz lead or lode or mineral bearing rock shall be entitled to one claim thereon by right of discovery and one claim each by location.

SECTION 6th That, a quartz or mining claim, shall consist of two hundred feet on the lead or lode or mineral bearing rock, with all dips, spurs, angles and variations, and also right of drainage, tunneling and such other privileges as may be necessary to the working of said mine.

SECTION 7th That the locator of any quartz lead, lode or mineral bearing rock, shall at the time of location place a substantial monument or stake at the discovery claim or at the end of said claim, on which shall be posted a written or printed notice, specifying the name of the location, the number of feet claimed, together with the day month and year when the same was located.

SECTION 8th That all claims shall be recorded in the District Recorders Office within fifteen days from the time of posting notice thereon, otherwise, the claim shall be considered abandoned and liable to re-location.

SECTION 9th That the amount of labor required for each location, shall be of the value of twenty-five dollars, estimating said labor at five dollars per day; said labor to be performed within ninety days from date of recording and when duly complied with, shall hold said claim for one year from date of Record.

SECTION 10th: That the books of record, shall be kept in Shenandoah City, until a written request, signed by ten claim owners residents of this District, shall be presented to the Recorder, for the removal of said books, then said books shall be removed to, and kept in this District.

SECTION 11th: That, there shall be an annual meeting of the miners in this District, ten days, written notice of which, shall be given by the Recorder, and special meetings shall be called in like manner on the written request of five of the resident claim-owners of this District.

SECTION 12th: That, these By-laws, may be amended by a two-thirds vote, of the resident claim owners of this District.

It was then moved, that, the meeting proceed to elect a Recorder for the ensuing year, when on motion of J. F. M. Rockafeller, Danl R Severance was elected Recorder for the period of one year. On motion of S M Hammond the meeting was declared adjourned

D R SEVERANCE *Sec't*

MINERS MEETING

Pursuant to notice the miners of Rocky M'g Dist, Beaver Co Territory of Utah assembled at the house of the Recorder on Saturday January 9th 1875, when the following business was transacted.

Jas W Mooney was elected Chairman and D R Severance, Secretary of the meeting.

The meeting then proceeded to the election of a Recorder, when D. R. Severance was declared to be duly elected Recorder for the ensuing year.

It was then moved and carried, that the limits of Rocky M'g Dist be so amended, to read as follows, to wit.

Commencing at the junction of the Beaver River with the Salt Lake and Pioche Stage-road, and running thence along said road Westerly Eight miles, thence South to what is known as the Big-Wash, thence along said Wash Easterly to Beaver River, thence along said River Northerly to point of beginning

It was then moved and carried, that Sec 3d of the By-laws, be so amended as to read as follows to wit:

That the Recorder shall receive for his fees the following, for each claim of fifteen hundred feet or less the sum of Three dollars and for Abstract of title the sum of three dollars.

It was then moved and carried that Sections Five, Six, Seven, and Nine of the By-laws be stricken out and the Mining Laws passed by Congress and approved May 10th 1872 be adopted, as governing said District, with the exception of restricting all lodes to one hundred feet (100) feet on each side for working purposes.

The Meeting was then declared adjourned.

JAMES W MOONEY, *Chairman*

D R SEVERANCE *Secretary*

I do hereby certify that the above is a true copy of the By-laws of Rocky Mining District, Beaver County Territory of Utah, as appears upon Book. A, Pages 1, 2 and 3 Records of Rocky Mining District, Beaver Co Utah Territory.

DANL R SEVERANCE *District Recorder*

ROCKY M'G DISTRICT *October 22nd* 1880

BEAVER COUNTY.—PINE GROVE MINING DISTRICT.

BY LAWS OF PINE GROVE MINING DISTRICT. ADOPTED 10TH MAY 1872.

At a general meeting of the Miners of Bingham Canyon Beaver County Utah Territory May the 10th 1872 for the purpose of forming a district and adopting By Laws for the government of the same the following proceedings were had

It was moved and seconded that the By Laws of North Star be adopted for the government of said Pine Grove Dist which was carried unanimously

SECTION 1st. A Recorder shall be elected by the miners of said District whose duty it shall be to keep a true correct and faithful record of all claims located in said District and who shall keep a book or books of Record in his office open to inspection of the Public.

SECTION 2nd. The Recorder shall have authority to appoint a deputy or deputies, who shall be required to perform the same duties as the Recorder. But should the Recorder and his deputies absent themselves from the District for a period of thirty days or fail to perform the duties of their office, then the office shall be considered vacant and an election shall be held to fill the vacancy.

SECTION 3. The Recorder shall receive for his fees the following viz: for each claim of two hundred feet the sum of fifty cents; for filing notice of assessment and surveying work the sum of two dollars; for abstract of titles the same as recording and the recorder is not required to file or record unless his fees are tendered and the recorder or his deputies shall under no circumstances file or record without first having gone upon the ground and located it from some conspicuous point or older location: also entering on his book of records the day hour and Minute of filing the same.

SECTION 4th. The recorder of this District shall hold his office for the period of one year from the date of his election and until his successor is elected

SECTION 5th. That any person or persons who may hereafter discover any quartz lead or lode or mineral bearing rock shall be entitled to one claim thereon by right of discovery and one claim each by location.

SECTION 6th. That a quartz or mining claim shall consist of two hundred feet on the lead or lode; with all dips spurs and angles: as also rights of drainage tunelling and such other privileges as shall be necessary to the working of said claim.

SECTION 7th. The locator of any quartz claim or claims on any lead or lode or mineral bearing rock. shall at the time of locating, place substantial monument or stake at the discovery claim or at the end of said claim or claims. on which shall be written or printed a notice specifying the name or names of the locators the number of feet claimed, together with the day month and year when the same was located.

SECTION 8th. All claims shall be recorded in the District recorders office within fifteen days from the time of posting notice thereon otherwise the claim shall be considered abandonned and liable to relocation but in case of the absence of the recorder and his deputies, the location shall be considered valid for or during said absence

SECTION 9th. All quartz claims so recorded in accordance with the provisions of these laws shall entitle the person or persons to hold the same to the use of himself his heirs or assigns Providing the amount of labor required for each claim of two hundred (200) feet, shall be a shaft four feet by six feet (4 x 6) and one foot deep. said labor to be performed within ninety days from date of recording and when duly complied with, shall hold said ground for the period of one year from date of record

SECTION 10th. The laws of this District may at any time be amended by the miners of the District by five bona fide miners petitioning the recorder, requesting him to call a meeting for that purpose, and the recorder shall post a notice to that effect at his office, and also at two Public places at least one week in advance of the time set for holding said meeting. No person shall be allowed to vote at special or general elections who does not own or hold some actual mining interests in this District and any ten bona fide miners

attending such meeting shall be considered a quorum for the transaction of business. The recorder shall act as secretary of the meeting and the proceedings of such meeting shall be recorded in the record books of said district and be considered valid and binding as the laws of the District. But in no instance can the laws thus amended effect original titles or locations made prior to said amended laws.

It was then moved and seconded that J H Cook be the recorder for the ensuing year whus was unanimously carried.

PINE GROVE DISTRICT.
Beaver County U 1 No.v. 2d 1880

I hereby certify that the foregoing & annexed is a full true and correct copy of the by-Laws & minutes of proceedings of the Pine grove District now in my possession.

J. H. COOK *District Recorder*
Per PETER TISCHER *Dept Recorder*

MILLARD COUNTY.—GORDON MINING DISTRICT.

At a meeting of miners held at Cove-Creek in the County of Millard in Utah Territory on the 15th day of June 1872, for the purpose of establishing a mining district and adopting and prescribing local customs and regulations of mining therein. A. P. Bonton was called to preside and Thomas Mather was chosen Secretary of the meeting.

Whereupon it was ordained and prescribed then and there by the miners of said district as follows; viz—

(1) A new mining district is hereby established which shall be called the Gordon Mining district with the following boundaries—(to wit);—Commencing at Cove Creek Fort running due north five miles; thence East five miles; thence south ten miles; thence west ten miles thence north ten miles thence east five miles to place of beginning and shall be known as the Gordon Mining district.

(2) A recorder shall be elected by the miners of said district who shall hold his office for one year or untill his successor is elected. unless removed for Misconduct or neglect of duty; Who may appoint a deputy for whose acts or omissions he shall be responsible shall provide at his own expense suitable books of record Wherein he shall record all location and such other acts and proceedings (including these regulations) as are usualy entered on such books of record; said books shall be kept with full index and shall be open to inspection during business hours for the inspection of any one in the presence of the Recorder or his deputy

(3) The Recorder shall note upon each Notice of location filed for record the day and hour of filing thereof from which time it shall be deemed recorded and he shall note on the notice also the date and page of the actual recording, he shall safety preserve and deliver to the person or persons entitled thereto all such instruments so filed by him after the same shall have been duly recorded.

(4) The Recorder shall receive for his services for filing and recording the following charges (to wit) For each mining claim 2^{00} for Each placer claim 2^{00} for each tunnel claim 3^{00} for each Mill site 2^{00} for each ditch water or wood claim 2^{00} for a certified copy of any notice of location or other record 25 cents pr folio including certificate. He shall at the expiration of his term of office or upon resignation or removal deliver up to his successor all books papers and records pertaining to his office He shall reside and keep his office and the records within the limits of his district.

(5) Each Mining claim upon mineral deposits shall be limited along the vein or lode to (1500) feet and may be located by one or more persons and may extend latterly to a width of 300 feet from the center of such lode When the same shall not conflict with any prior existing claim but in no case to less than 25 feet as pr act of Congress on each side from the center of lode and all notices shall specify the width of the claim.

(6) The locator or locators on any Mineral vein lode or ledge shall place in a conspicuous place on the vein or lode claimed by them a notice of location describing the same with sufficient certainty so that the limits and initial points may be Easily ascertained; which notice shall be printed or in writting and placed upon a stake not less then three feet high nor less then three inches in diameter or upon a blazed tree or upon a rock Monument not less then 3 feet high.

The locater of a water right shall place two notices of such claim as follows, one at the intended point of deversion and the other at or near the place of proposed use. designating the quantity of water claimed for use to be mesured by inches customary Miners mesurement.

The locators of Mill sites wood claims and gold placer claims shall place their respective notices of location in a conspicious place on the premises claimed which notice shall describe particularly the metes and bounds of such claims respectively;

The locator or locators of tunnel claims shall place two stakes not less than 4 inches in diameter 10 feet apart in such a position that a line drawn at right angles to the line drawn between such stakes shall correctly indicate the line of such tunnel claim running from the initial point into the hill or Mountain; and the notice of such location shall be placed upon or or both of such stakes

(7) Within three months from time of location it shall be the duty of the locator or locators of any and all claims or classes of locations in the district to file a certificate copy of such notices with the Recorder of the County in which this district is situated in order that the public can trace the claim of title direct to the locater or locators thereof; and a failure or neglect so to do shall be considered an abandonment of said location or locations. The property or claims so abandoned shall be subject to re-location upon the certificate of the county recorder (duly filed and recorded in the District records) that there is no such Notice upon the county records or such notice was filed and recorded after said period of three months dating from the day District Recorders certificate of record

(8) All claims shall be held jointly when there are more than one locator and subject to the laws of Congress regulating labor thereon. No Extra feet shall be allowed to the discoverer of any mining claim.—

(9) Claims of every class shall be recorded withiu 21 days after their respective locations.

(10) The Recorder shall go upon the ground before any claim is recorded; shall measure the ground in accordance with the notice of location; shall see the marks and monuments are properly established shall refuse to record claim if the same conflicts with any prior location his fees for this service shall be one dollar, Upon application the Recorder shall determin the amount of work or labor performed under requirements of the District laws or Act of Congress relating thereto and if the labor warrants testimony being given under oath: then he shall issue his certificate of labor performed and he shall be entitled thereto to a fee of one dollar

(11) The locators or owners of each claim of any of the classes aforesaid shall within 90 days after the location of any claim perform or cause to be performed. 10 days work thereon which shall entitle him or them to hold the same for six months thereafter After which time such claims shall be occupied or worked to the Extent and in the manner and within the time as specified and required by the laws of Congress for Each class of claims—

(12) The local laus and regulations may be amended or altered at any miners meeting called for that purpose as herein provided A Miners meeting for that or any other purpose may be called by posting up notices thereof; in three of the most conspicious places in the Mining District or by publication in any newspaper that may hereafter be printed within the limits of the said mining district for 10 days next preceding the meeting It shall require the names of 25 miners residents of this district signed to such a call to make the acts of such a meeting legal or to superseed these laws.

(13) To complete the organization of this District. Thomas Mather was Elected recorder of said district by the Miners thereof at said meeting his term to commence at this date,

June 15th 1872

A. P. BONTON *President of the meeting*

THOMAS MATHER *Secretary*—

PIUTE COUNTY.—OHIO MINING DISTRICT.

BY LAWS RULES AND REGULATIONS OF THE OHIO MINING DISTRICT PIUTE COUNTY UTAH TERRITORY

At a meeting of the Miners of the Ohio District. Piute County and Territory of Utah. Held August 10th 1872. Pursuant to a Legal or regular call of the miners of said. Dist.,

SEC 1st Moved and Seconded. that Jacob Hess. act as chairman of the meeting. Carried.

SEC 2nd Moved and Seconded that F J Rink act as Secretary of the meeting. Carried.

SEC. 3rd Moved and seconded that we elect a Mining Recorder. Carried.

SEC. 4th Moved and seconded that W W Goodall be elected to the Office of Mining Recordr. Carried

Suggestions to be adopted or rejected were then presented and ordered to be read.

SEC. 5th Moved and seconded that the foregoing suggestions be read and acted upon by Sections. Carried.

Art 1st Was then read. but had been left blank as to the boundaries of the District

SEC. 6th. Moved and seconded that the old Record of boundaries be produced. Carried.

The Record was then brought forward and read.

SEC 7th Moved and seconded that the boundaries remain as established in 1868. Carried.

Art 2nd Was then read.

SEC 8th Moved and seconded that the Recorders business hours shall be specified in Art 2nd. Carried.

SEC 9th Moved and seconded that the Recorders business hours shall be from 9 A. M. to 4 P. M. Carried.

Articles 3 4 5 and 6 and 7 were then adopted in regular successions.

SEC 10th Moved and seconded that Art. 8th be changed so as to read "the Recorder or his Deputy" Carried.

SEC 11th Moved and seconded that we adopt the same rules for axamining and assessing improvements and work done on mines, as heretofore set forth in Art. 5th. Carried

SEC 12 Moved and seconded that the Recorder shall be entitled to three dollars for Recording any Lode Claim or tunnel. Carried

SEC 13 Moved and Seconded that the Recorder shall be allowed fifty Cents for each Certificate issued. Carried.

SEC 14. That the Recorder for visiting a claim for relocation be allowed three Dollars Carried

SEC 15 That the Recorder be allowed two dollars for visiting a claim or mine to Estimate improvements made & work done, Carried.

SEC 16. Moved that twenty dollars shall be expended for each one hundred feet in length claimed on a Tunnell site. "Lost."

SEC 17th Moved that ten Dollars be expended for each one hundred feet in length of Tunnell each year, Carried.

SEC 18th Moved that fifty dollars shall be expended during the first six months, and the ballance before the end of the year on all locations, Carried. (This section was annulled at a regular miners meeting in 1874.)

SEC 19 Moved that the Laws take effect on and after this date, Carried.

SEC. 20 Moved that the Secritary of the meeting forward a copy of these Laws to the Salt Lake Tribune for publication. Carried

Moved to adjurn. Carried.

BY LAWS OF OHIO MINING DISTRICT

ART. 1st This District shall be known and styled as the Ohio Mining District. and bounded as follows: Commencing at Marys Valo and running westward, up Pine Gulch Canyon to the summit of the Mountain Range, and Ten Thousand feet on each side, and running paralell with said Canyon.

ART. 2nd. The officers of this district shall consist of a Recorder, who shall be ellected annually on the second Saturday in August, and whose term of office shall be one year. or until his successor be appointed. Subject to removal at any time for misconduct in office. or a neglect of duty. The Recorder may appoint one or more deputies as he may deem it necessary for whose official acts he shall be responsible. and the name of such deputy and the date of appointment shall be entered in the Record Book before his official duties commence, It shall be the duty of the Recorder to procure Books good and well bound to be called Books of Locations and Records. in which shall be recorded the Mining Laws of the District. Notices and proceeding of Meetings the locations of lodes tunnells. Mill and land rights. and other Mining claims and all matters pertaining Mining in the District.

The Recorder shall note on the back of all Notices or papers given him for record the day and the hour of the filing thereof and such instrument shall be deemed recorded from and after the date of such filing.

The Recorder shall keep his office open from 9. A. M. until 4. P M. for the transaction of business and for the inspection of the records books by the miners of said district.

Art. 3rd The examination of the records shall be made onely in the presence of the recordr or his deputie.

Art 4th The recorder shall turn over to his successor in office all books and papers pertaining to his office. Upon the application of ten or more miners: 'eligible' of this district the recorder shall call Special meetings. giving ten days notice in three public places in the district. Stating the time. place, and, object of the meeting

A majority of the miners present, may legally transact business, but it shall require at least ten legally constituted miners to form a quorum.

Art 5th Any person having mining claims or any interests in any mine in this district—shall be entitled to a vote at any district Election.

Art. 6th We adopt as the laws of this district for locating lodes tunnels and all other mining claims, the laws of the "United States" as by Act of Congress approved May 10th A D 1872.

Art 7h Any person claiming the rights to relocate any claim lode or tunnell may apply to the recorder in writing. and he shall appoint five disinterested persons to examine Said claim lode or tunnel, and said persons so applying shall have the right to object to three of said persons so appointed, and the remaining two with the recorder shall visit examine and assess the work performed and improvements made, and if a majority of said committee shall report in writing and file with the recorder that the former Locators or claimants of said lode Mine or tunnel have not complied with the Mining laws of the district or of the United States, Such Claimant shall be entitled to relocate said lode mine or tunnel, and the recorder shall so certify and record the same.

Art 8th All Claims must be marked with a distinctly writen Notice placed upon the lode, with the name of the discoverers and Claimants upon the same, to mark a valid claim which notice must be kept posted until the Claim is duly recorded and work done to hold it one year.

Art 10th A claimant or company shall have Twenty days after discovery to record said claim or tunnel.

Art 11th When the owners of any lode mine or tunnel shall claim that they have performed labor or made improvements in compliance with the laws, and shall request the recorder or his deputy in writing, to visit such claim and estimate the labor performed and improvements made thereon. it shall be the duty of the Recorder or his deputy to proceed in the same manner as provided in Art 7 for the examination of claims for relocation within forty Eight hours after receiving such notice, and certify in writing and place same on record. the amount of labor done or improvements made, and such certificate shall be sufficient evidence that such work was done and improvements made.

Art 12 No. claim shall exceed one hundred feet on each side from the middle of the vein or lode on the surface.

Art 13 Fifty dollars shall be expended during the first six months after location, and the balance before the end of the year upon all New Locations

Was striken out and annulled at a regular miners meeting in the year 1874

Art 14th The Recorder shall be entitled to three dollars, for recording any claim lode or tunnel—or for visiting a claim for relocation, And for every Certificate issued fifty Cents, and for visiting a Mine to Estimate the work done or improvements made Two dollars.

Art 15 These by laws shall take effect from this date.

F J RINK *Secretary*

The above is a correct copy of the rules regulations and by laws. of this Ohio Mining District Utah. as entered in record book 1. which book 1 now have.

C B. ROBINSON *Recorder O. M. D.*

October 18th 1880.

UTAH COUNTY.—PROVO MINING DISTRICT.

Provo Mining District *November 18th* 1872

The Committee appointed to revise and enact rules and regulations met and adopted the following by sections.

Art 1. This District shall include the following portion of the Territory of Utah: Beginning at the mouth of Slate Canyon, thence north along the base of the mountain to Provo River, thence east along the River to the south fork of Provo Canyon, thence south to the south fork of Hobble Creek Canyon, thence west along the Creek to the corporation of Springville City, thence north along the base of the mountain to the place of beginning.

Art. 2. The officers of this District shall consist of a Recorder, elected for one year from the 10th day of August in each year or until his successor be appointed, subject to removal at any time for misconduct in office or neglect of duties. The Recorder may appoint one or more deputies, as he may deem it necessary, for whose official acts the Recorder shall be responsible, and the name of such deputy and the date of his appointment shall be entered in the record book before his official duties commence. It shall be the duty of the Recorder to procure books, good and well bound to be called Book of Locations and Records, in which shall be recorded the mining laws of the District, Notices and Proceedings of meetings, the locations of lodes, tunnels, mill and land rights, and other mining claims, and all matters pertaining to the mining of the District. The Recorder shall note on the back of all notices or papers given him for record, the day and hour of the filing thereof, and such instruments shall be deemed recorder from and after the date of such filing. The Recorder shall turn over to his successor in office all books and papers pertaining to his office

Art 3 The Recorder's office may be kept in Provo City.

Art 4 We adopt as the law of this District for the locating of mines, tunnels and all other mining claims the law of the United States as by Act of Congress, approved May 10 A. D. 1872,

Art. 5 Any claimant or claimants claiming the right to re-locate any claim, lode or tunnel may apply to the Recorder in writing and he shall appoint three disinterested persons to examine said claim, lode or tunnel, and said person or persons claiming the right of relocation shall object to one of the said persons so appointed and the remaining two with the Recorder shall visit, examine and assess the work performed and the improvements made, and if a majority of said Committee (including the Recorder) shall report in writing and file with the Recorder that the former locators or claimants of said lode, mine or tunnel have not complied with the mining laws of the District or of the United States, such claimant shall be entitled to re-locate said lode, mine or tunnel, and the Recorder shall so certify and record the same.

ART. 6 All claims must be marked with a distinctly written notice placed upon the lode, with the name of the discoverer and claimants upon the same to make a valid claim, which notice shall be kept posted until the claim is duly recorded.

ART. 7. A claimant or company shall have thirty days after the discovery, and putting up of a notice, to record claims for lodes, tunnels, etc.

ART. 8. After a claim or location has been recorded, the Recorder shall, upon request of claimant or authorized agent, make and deliver certificate for the same.

ART. 9. When the owners or claimants of any mine, lode or tunnel shall claim they have performed labor or made improvements in compliance of law, and shall request the Recorder in writing to visit such claim and estimate the labor performed and the improvements made thereon, it shall be the duty of the Recorder to visit such claim within forty-eight hours after receiving such notice, and certify in writing and place the same on record, the amount of labor done or improvement made, and such certificate shall be sufficient evidence that such work was done or improvements made.

ART 10 The compensation the Recorder shall be entitled to receive shall be as follows: For recording any lode, mine or tunnel, $2.50; for all certificates, 50 cents each; for visiting a claim for relocation, $4; for visiting a claim to assess work, $4.

ART 11 An examination of records shall be made in the presence of the Recorder

ART. 12 Ten days notice shall be given in at least three written notices posted in separate places to wit: one in the district and two in Provo City, previous to any meeting for the revision of the laws; and special meetings may be called in the same manner.

ART. 13. No person shall be entitled to a vote at any meeting who is not a bona fide holder of an interest in a mining claim located in this district

ART. 14 All laws or parts of laws in this district conflicting with these laws or of any of the mining laws of the United States are hereby repealed.

JOHN McEWEN *Recorder.*

WASHINGTON COUNTY.—HARRISBURG MINING DISTRICT.

CONSTITUTION AND BY LAWS OF THE HARRISBURG MINING DISTRICT.

WASHINGTON COUNTY UTAH TERRITORY *June 22nd* 1874.

At a Miners Meeting held at the Harrisburg School house on the 22nd day of June A D 1874—for the purpose of organizing a Mining district and Making laws to govern the same—O B. Adams was choses President and W J Earl Secy of the Meeting—Pro Tem.

SECT 1 On motion it was moved and carried that this district Shall be known as the Harrisburg. Minig district, and shall be bounded as follows to wit: Commencing at the Harrisburg School-house and runing from thence in a due East course six Miles, and from thence in a due north line six Miles, Thence due west twelve Miles, Thence due south twelve Miles, Thence due East twelve Miles, Thence due North six Miles to the place of beginning—Embracing an area of twelve Miles square or one hundred and forty four square Miles. The Harrisburg School house being the Center of said district.

SEC 2nd On Motion it was moved and carried that there be a committee of three Elected for the purpose of drafting a Code of laws and Constitution to govern said district. John.—Kemple, O B. Adams and Wilson.—Darley being Choses as said Committee.

The Meeting Then adjourned Until 2 Oclock P M on the following day—June 23d—when the Meeting again Met and did Unanimously adopt the following Code of laws.

By Laws of Harrisburg—Mining district Made and adopted on the 23d day of June 1874.

ART 1st *Be it resolved* that this district be known as the Harrisburg Mining district.

ART 2nd That No location shall consist of more than fifteen hundred feet lineal Measure, on the Ledge, in any one Company, and such location may be Made by one or More persons. But in no case shall there be more than fifteen-hundred feet located in any one location.

ART 3d That all locations made on any Ledge Lead or Lode in this district May Embrace—but shall not Exceed three hundred feet on Each side from Center of Ledge—claiming all dips, Spurs and angles and Variations of the Ledge—including and Claiming all Ledges that may be Contained within the bounds of said location—to the full Extent of Location.

ART 4th That No person or persons shall be Entitled to hold by location more than one location on any one Ledge or Lode.

ART 5th That all Claims located and Claimed shall have a Notice posted on such location—with date of location—giving the Name or Names of the person or persons making such location—with the amount of ground, or number of feet Claimed by them—with Course or direction Claimed from such Notice.

ART 6th That all locations made shall have a Stake or Monument—placed at Each End of location.

ART 7th That all locations Made on any Ledge shall be recorded within fifteen days from date of location, or otherwise shall be Considered as forfeited and subject to relocation

ART 8th That all locations made shall have work performed, or improvements Made on such location to the amount of one hundred dollars to each location—within one year from date of location—and annually thereafter, and in Case of a failure to Comply with this act—all such Claims shall be Considered as abandoned and subject to relocation—the same as if No location had ever been made.

ART 9th There shall be a Recorder Elected who shall hold his Office for the term of one year—whose duty it shall be to keep in a book—suitable for the purpose—a true and Correct record of the proceedings of all business Meetings, and of all Notices of all locations—presented to him for record, and for such services rendered—Shall be Entitled to the sum of two dollars—for Each—location.

ART 10th It Shall also be the duty of the Recorder at the request of any person Making a location—to go upon the ground and place Notice, and set stakes, or build Monuments—at Each End of Claim or location, and for such Extra service—shall be Entitled to the sum of two dollars in addition to the recording fees already Mentioned.

ART 11th The Amount of work necessary to be performed for the assessment work—shall consist in the sinking of a Shaft on the Ledge—not less than five feet square and fifteen feet deep—for Each location—for the first assessment work—which work is to be performed within one year from date of location, and after the first annual assessment has been performed—there shall annually be

performed—the sinking of the shaft—the debth of ten feet—provided that the work be continued in the one shaft, but in case a new shaft be sunk from the surface—the fifteen feet will then be necessary as assessment labor, and any person or persons failing to comply with this Act—on any of their locations—such locations shall be considered forfeited and subject to relocation.

Art 12th It shall be the duty of the Recorder at the request of any person or persons—having or Claiming to have performed the requsite amount of assessment labor—to go and make a survey of such labor, and if found to Comply with the law of Sec 11—Shall Enter the same on the record Books—of said district, and such record. Shall be taken as positive Evidence in Case of any dispute arising from relocation, and for such services shall be entitled to the sum of two dollars

Art 13 Where parties make a relocation of any claim—they shall make a request of the Recorder—to go and Examine such location—whose duty it Shall be to go and Examine such location, and of labor performed, and if not found to comply with the Law—such parties relocating—shall be Entitled to make such location, and the Recorder shall enter the same on the records, and for such service shall receive the sum of two dollars.

Art 14th There shall be an annual Meeting held on the 23d day of June Each Year—for the purpose of Electing a Recorder, and to transact and do any other business that May properly be brought before the Meeting

Art 15th There may be a Special Meeting Called at any time, by the request of three Miners, by serving a Notice on the Recorder stating object of such Meeting, and on such request it Shall be the duty of the Recorder to post Notices in at least three conspicuous places in the district—stating object of such Meeting and the place of Meeting—giving at least five—days notice of such meeting—

Art 16th These laws may be altered or amended at any regular or Special Meeting of the Miners and Claim-holders of this district—by first giving at least five—days notice of such change to be made—which change may be made by a two thirds Vote of the Miners present at such Meeting.

JOHN KEMPLE
O B. ADAMS
WILSON DAILEY
Committee

J W. Earl *Secy.* O B. ADAMS—*Prest*

At a Special Meeting of the Miners of the Harrisburg-Mining district—duly Called by the Recorder—in pursuance of Art 16th of the By-laws of said district—held at the store of Messrs Decker & Co in the town of Leeds—on Thursday July—12th at 2 Oclock P M.

Meeting called to order by F X. Loughery Recorder—

On motion duly seconded Col E A. Wall was Elected Chairman and W R. Chadsey Secretary.

On motion of W T. Barbee—it was Move and seconded that article—fourth (4th) of the Bylaws of this—district—be stricken out whereby more than one location by any one person or persons—on any one Ledge—is prohibited—The same being deemed in Conflict with the Law of Congress—passed May 10th 1872—Motion Carried by a unanimous vote.

On Motion of W T. Barbee it was agreed that article Eleventh of the Bylaws of this district—whereby the amount of work necessary to Constitute—one hundred dollars upon Each Mining Claim within the district—per annum—be stricken out and that article Eight (8) be substituted in its place—Motion Carried.

It was moved by W T. Barbee—the Motion seconded—that it shall be the duty of the Recorder at the request of any person—to go and measure or survey the labor performed on any location as assessment work, and shall Enter the amount of work measured or surveyed—on the Record books of said district, and the Record—may be taken as presumptive evidence of the value or amount of said work, and for such services he shall be entitled to the sum of two dollars, and in addition to the above—he shall be Entitled to twenty five Cents per Mile—as Milage. The foregoing is offered and substituted in place of Article 12th of the Bylaws of this district—said art 12th is hereby ordered stricken out—Carried.

It was moved and seconded that Article (6th) sixth of the Bylaws of this district—be amended so as to read—that all locations made shall have a stake or Monument at Each End of location or ground claimed, and also place perminant Monuments—or stakes at Each Corner of said location.

It was moved and seconded that the following be added to the By laws of this district—to be known as article 17th—That the Mining Recorder shall be held responceble for the official acts of his Deputies.

It was moved and seconded that article thirteenth of the Bylaws of this district—be stricken out—Motion Carried.

On motion of A H. Parker—which was duly seconded it is ordered that article 10th of the Bylaws of this district be stricken out—Motion Carried.

On motion W T. Barbee—it was ordered that article 7th be so amended as to read—that all notices of location shall be filed for record with the Recorder within fifteen days after such location is made—Carried.

On Motion of A H. Parker—which was seconded—it was ordered that the By laws of this district amendments thereto—as adopted and read by the Secretary—be now adopted in whole—Carried by a two thirds Vote.

W R. CHADSEY *Secy.*

BY-LAWS OF THE HARRISBURG MINING DISTRICT AS AMENDED JULY 12TH 1877—IN THE TOWN OF LEEDS—WASHINGTON COUNTY UTAH TERRITORY.

Art 1st *Resolved* that this district be Known as the Harrisburg Mining district.

Art 2nd That no location shall consist of More than fifteen hundred feet lineal Measure—on the Ledge—in any one—Company, and such locations may be made by one or more persons—but in no instance shall there be more than fifteen hundred feet located in any one location.

ART 3d That all locations made on any Ledge in this district—may embrace but shall not Exceed three hundred feet—on each side from center of Ledge—claiming all dips, Spurs, angles and Variations of the Ledge—including and claiming all Ledges that may be contained within the bounds of location—to the full—Extent of claim.

ART 4th That all Claims located—shall have a notice posted on such location—with date of location giving the name or names of the person or persons—making such location—together with the amount of ground, or number of feet claimed by them—also the course or direction claimed from such notice.

ART 5th That all locations made shall have a stake or monument at Each End of location, or ground claimed, and also place perminant monuments or stakes at Each Corner of such location.

ART 6th That all notices of location shall be filed for record with the Recorder—within fifteen days after such location is made.

ART 7th That all locations made shall have labor performed or improvements made—on such locations—to the amount of one hundred dollars to Each location—within one year from date of location—and annually thereafter, and in case of a failure to Comply with this act—all such claims shall be considered as abandoned, and subject to relocation the same as tho' no location had ever been made.

ART 8th There shall be a Recorder Elected who shall hold office for the term of one year—whose duty it shall be to keep in a book suitable for the purpose a true and correct record of the proceedings of all business meetings, and of all notices of location—presented to him for record, and for such services—he shall be Entitled to the sum of two dollars for Each location.

ART 9th It shall be the duty of the Recorder at the request of any person to go and measure or survey the labor performed on any location—as assessment work, and shall Enter the amount so measured or surveyed—on the record books of said district, and said record may be taken as presumptive evidence of the value or amount of said work, and for such services—Shall be entitled to the sum of two dollars, and in addition to the above—shall receive twenty five cents per mile in going to and returning from the claim so measured or surveyed.

ART 10th There shall be an annual meeting held on the 23d day of June—Each year for the purpose of Electing a Recorder, and to transact and do any other business that may properly be brought before the Meeting.

ART 11 There may be a special meeting called at any time by the request of three Miners—by serving a notice on the Recorder—stating object of such meeting—and on such request it shall be the duty of the Recorder to post notices in at least three conspicuous places in the district—stating object of such meeting and the place of holding the same—giving not less than five—days notice of such meeting.

ART 12th These Laws may be altered or amended at any regular or special—Meeting of the Miners and Claim holders of this district—by first giving—not less than five days notice of such change to be made—said change may be made by a two thirds Vote of the Miners present at such Meeting.

ART 13th That the Recorder shall be responcible for the Official Acts of his Deputies.

F X. LOUGHERY *Recorder of Harrisburg Mining dist.*

I hereby certify that the foregoing is a full and true copy of the—Constitution and By Laws of this Districts—including all amendments to the same to date.

Silver Reef September 13th, 1880.

[SEAL.] W P. POOLE *Recorder of the Harrisburg Mining—District.*

JUAB COUNTY.—TINTIC MINING DISTRICT.

BY LAWS OF TINTIC MINING DISTRICT AS REVISED, AMENDED AND APPROVED AT THE ANNUAL MEETING OF THE MINERS OF THE DISTRICT HELD AT THE RECORDER'S OFFICE, SILVER CITY, DECEMBER 12TH 1874.

Boundaries.

This District shall be known as Tintic Mining District, and is bounded as follows: Commencing at a point six miles north west from the south end of Discovery claim known as the "Sunbeam." Thence east ten miles; thence south fifteen miles; thence west ten miles; thence north fifteen miles, to point of beginning, embracing an area of 150 square miles, and shall be governed by the following prescribed laws.

SECTION 1st There shall be an annual meeting of the miners of this district held on the second Saturday in December of each year to revise and amend the By Laws, for the transaction of general mining business, and for the purpose of electing a Recorder for the District who shall holb office for the term of one year, and until his successor is duly elected and qualified. Provided, however, that he may be removed at any time for misconduct in office or neglect of his duties as prescribed by the laws of the district, by the vote of a majority of bona fide claim holders at a meeting appointed for the purpose

SECTION 2nd. The Recorder shall be required to keep a substantially bound book in which he shall record all notices of location of all lodes, tunnels and other claims made in the District. He shall also keep other suitable books, for the Record of all other documents pertaining to the business of said District, and shall deliver the same, together with all files of location and other documents in his possession to his successor in office, on proper demand, without pecuniary consideration, taking a receipt therefor.

SECTION 3rd The books of record shall be kept within the limits of the District, and shall be open for Records and examination daily during business hours, Sundays excepted. The Recorder shall carefully preserve all papers filed with him for record, and shall note upon the back of each location, notice, deed or other instrument so filed the day and hour of filing, and such location, notice, deed or other instrument shall be deemed recorded from and after the date and hour of such notice of filing.

SECTION 4th The Recorder may appoint one or more deputies for whose official acts he shall be responsible, and no examination or inspection of the Records shall be made except in the presence of the Recorder or his deputy. When a claim shall have been located and duly recorded, the Recorder shall upon request make and deliver to the owner, his agent or attorney a certificate of such Record which shall be evidence of the facts therein stated. The Recorder shall be authorized to demand and receive for his services in all cases in advance, the following fees to wit. For each claim or tunnel recorded by any person or company of persons $3; for each deed, power of attorney or bill of sale, $2; and for all other records, official documents and transcripts, 50 cents for each one hundred words or fractions thereof.

SECTION 5th Any person or persons, being citizens of the United States, or having declared their intent to become such, may locate and hold mining claims in the District, subject to the following rules and regulations.

SECTION 6th All mining claims, whether located by one or more persons may equal but shall not exceed (1500) fifteen hundred feet in length along the vein or lode, but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than 100 feet on each side of the middle of the vein at the surface. Nor shall any claim be limited to less than 100 feet, except where adverse rights existing at the adoption of these by laws shall render such limitation necessary. The end lines of each claim shall be parallel to each other.

SECTION 7th Any person or persons having the right may locate a tunnel, for the working and development of their claims and for the discovery of mines not previously known to exist, and the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel, on the line thereof, not previously known to exist discovered in such tunnel to the same extent as if discovered from the surface, and locations on the line of such tunnel or veins or lodes not appearing on the surface made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence shall be invalid, but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

SECTION 8th All locations whether mining claims or tunnels shall be distinctly marked on the ground by a substantial stake or monument not less than three feet high, on which shall be written or posted a legible notice, giving the date of location, the number of feet in length of the claim or tunnel, the number of feet each way from notice, both in length and width, its direction and the name or names of the person or persons making the location, and such notice shall so describe such location that its boundaries can be readily traced on the surface, and all record of locations hereafter made shall contain such a description of the location by reference to some natural object or permanent monument as will identify the same, and the locator shall be required to keep the notice of location written or posted on the location stake or monument legible and in good condition thereafter.

SECTION 9th All locations made in the District, whether of claims or tunnels, shall be recorded within 20 days from date of location. On each claim hereafter located not less than $100 worth of labor shall be performed or improvements made during each year until a patent shall have been issued therefor, and on each tunnel not less than $100 worth of labor shall be performed each year, and a failure to comply with these requirements shall be deemed equivalent to abandonment, and the claim shall be open to relocation in the same manner as if no location had ever been made. On all claims located prior to May 10th 1872, Ten Dollars worth of labor shall be performed or improvements made in each and every year after January 1st 1875 for each (100) feet on such claim and upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made. Provided that the original locators, their heirs or assigns or legal representatives have not resumed work upon the claim, after such failure, and before such location. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures hereby required, the co-owners who have performed the labor or made the improvements may at the expiration of the year give such delinquent co-owners personal notice in writing, or notice by publication in the newspaper published nearest the claim for at least once a week for ninety days. If after such notice in writing or publication such delinquent shall fail or refuse to contribute his proportion to comply with this section, his interest in the claim shall become the property of his co-owner who has made the required expenditures. Provided also, that where two or more veins or lodes lie contiguous the owner or owners may do the work required by this section on the vein or veins through one shaft or tunnel, when they desire to do so, but this provision shall not be construed to change or diminish the amount of work to be done on each of such veins or lodes.

SECTION 10th Any person or persons having the right may locate any spring or water privilege for mining purposes in this district, and shall be required to be in possession or put improvements thereon to the amount of $100 annually, and a failure to comply shall be deemed equivalent to abandonment, and the spring or water privilege shall be open to re=location the same as if no location had ever been made.

SECTION 11th Where two or more veins intersect or cross each other, priority of Title shall govern, and such prior location shall be entitled to all ore or mineral contained within the space of intersection. Provided, however, that the subsequent locator shall have the right of way through said space of intersection for the purpose of the convenient working of said mine, and provided also, that where two or more veins unite the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

SECTION 12th In the event of a dispute arising between two or more claimants the original claimant may hold his ground until the subsequent locator shall strip his claim to the point in dispute, and if a connection of vein, ledge or mineral be shown, the original locator shall hold the ground in dispute.

SECTION 13th On any notice of relocation of any claim or lode being presented by any person or company of persons for file or record in the office of the Recorder of this District, it shall be the duty of the Recorder or his deputy to ascertain if such claim or lode be subject to relocation by examining the records and making a personal inspection of the ground sought to be re=located, at the cost or expense of the person or persons applying for such re-location, and if it should appear that the required amount of labor has been performed he shall refuse to either file or record said re-location. The fees payable to the Recorder for services rendered under this section shall be $1 for the first mile or less, and 50 cts for each additional mile or part of a mile one way, including all the necessary examinations.

SECTION 14th Any person or persons after doing the amount of labor required by the laws of this District may make a report of the same with the testimony of two or more disinterested miners to the Recorder, who shall enter such Report on the Records and give a certificate therefor to the person or company making such report.

SECTION 15th These by laws cannot be altered or amended except by the vote of a majority of bona fide claim holders, at a regular annual meeting of miners held in the District, 10 days notice of which meeting shall be published by the Recorder in the principal camps of the District and also by at least 3 insertions in any daily newspaper published nearest the District. A special meeting of miners shall also be called by the Recorder for transacting special mining-business, upon a written petition signed by 7 or more bona fide claim holders in the District, and at least 5 days notice stating the object for which said meeting is called, shall be given by publishing it in the principal camps of the District.

SECTION 16th These by laws shall take effect and be in full force from and after their passage

A. S. SUTHERLAND, *Recorder.*

BEAVER COUNTY.—COLUMBIA MINING DISTRICT.

BY LAWS.

At a meeting of Miners held at the Rattler Mining Claim in the County of Beaver, Territory of Utah on the nineteenth day of December A D. 1874 M. D. Ferror was called to preside and Joseph Hunt was chosen Secretary of the meeting

Whereupon the following By-Laws prescribing the Local customs rules and regulations for a new Mining District were adopted

ARTICLE I *Name, Boundaries.*

A new Mining District is hereby organized which shall be called the "Columbia District" and which shall embrace all that country lying between and not occupied the San Francisco and Preuss Districts on the west and the Beaver Lake Rocky, and Star Districts on the East.

ARTICLE II *Recorder his duties.*

SEC 1. A Recorder shall be elected by the miners of said District who shall hold his Office for One Year unless previously removed for misconduct or neglect of duty he shall be eligible to re-election The third Saturday of December each year is hereby appointed as the day of Election.

SEC 2. The recorder may appoint a deputy for whose Official acts or omissions he shall be responsible He shall provide at his own expense Suitable Books of Record wherein he shall record all locations and Such other acts and proceedings (including these regulations) as are usually entered on such Records said books shall be kept with full index and shall be open to inspection for any one during business hours in the presence of the Recorder or his Deputy.

SEC 3. The Recorder shall note upon each Notice of Location or other document filed with him the Page and Letter of Book of record and the day and hour of such filing from which time it shall be deemed Recorded, He shall carefully preserve all documents filed with him and be responsible for them, thirty days after filing and when called upon to deliver them.

SEC 4. The Recorder shall be entitled to receive for his services the following fees.

For each mining claim filed for Record	$3.00
" " Tunnel " " " "	5.00
" " Mill Site " " " "	5.00
" " Water or Wood " " "	5.00
A certified copy of Record of any document per folio	.75
Drawing a Deed, Bond or Power of Attorney	2.00

SEC 5 The Recorder shall reside and keep his Books either at the District or at the Town of Williamsburg or Riverside He shall at the expiration of his term of Office and at the Election of New Recorder turn over to his successor. all Books papers and documents belonging to the Office.

ARTICLE III—*Manner of Making Locations &c*

SEC 1. Each quartz mining claim shall be limited to 1500 feet in length along the vein or lode and to 300 feet in width on each side of the centre of the vein or Lode as prescribed by the U S. Mining Law, of May 10th A. D. 1872. provided no prior existing claim conflicts therewith.

SEC 2—.The locator of any claim shall place upon a conspicuous point thereof a notice of such location which shall contain the name or names of the locators the date of the Location the number of feet. claimed in length and width the course of a vein of a Lode claim and such a description of the claim located by reference to some natural object or permanent monument as will identify the same.

SEC 3.—:No. Lode claim shall be recorded until after the discovery of a vein or deposit of mineral within the ground claimed and the same shall have been defined by four durable stakes at the boundary corners. All notices of Location shall be recorded within Thirty days after the location is made.

SEC 4.—:All Tunnel claims claims for Water rights placer and Wood claims shall be limited and governed by the existing United States and Territorial Laws. Such claim however shall be distinctly marked upon the ground. The notices conspicuously posted and Recorded within thirty days after Location.

SEC 5.—:Within sixty days after Recording at least three days work shall be done upon each mining claim and within one year from the date of Location One hundred dollars worth of work must be performed thereon and the same amount annually, thereafter until the Patent Title is acquired according to the U S. Mining Laws.

ARTICLE IV.

SEC 1:—:These By Laws may be amended or repealed at, any regular miners meeting called for that purpose.

SEC 2.—:A regular miners meeting may be called by posting notices thereof in three conspicuous places for ten days preceeding the election signed by at least five bona-fide claim holders. of the District

To Complete the organization A D. Ferron was duly elected Recorder his Official term commencing with this date

A. D FERROR, *Chairman*

JOSEPH HUNT. *Secretary*

Other miners present Mitchell Stevens J. A Schmidt Manassa Blackburn Christ. Heinecke George Heitz

BEAVER COUNTY.—NORTH GRANITE MINING DISTRICT.

BYE LAWS & AMENDMENTS

At a meeting of the miners held in the house of George Reid on Granite Creek Mar 31st. 1875 it was moved Seconded & Carried that Mr Robert Keyes be Chareman also that George Reid Be appointed as Cleark of the meeting

It was moved Seconded & Carried that We orgenise a mining Districk of Six miles Square Comencing on Granite Creek at C Mathews old Corell or Rencho supposed to Be the South Boundries of the North Granite Districk and Running 3 miles west to the Sumet thence along the Sumet north 6 miles thence 6 miles East thence 6 miles South thence 3 miles West and Back to place of Beginning it was moved and Carried that this Districk Be known By the name of the North Granite Districk

moved and Caried that Robt. Kershaw Be Recorder of Said Districk

BY LAWS.

SECTION first That the Recorders Fees shall not Exceed two Dollars for Each mining Clame

SECTION 2 That the Recorders fees for Recording assessment Works Done Shall not Exceed one Dollar and fifty Cents Each Clame yearly

SEC 3 that all Clames not Recorded in 30 Days from location is liable to Relocation

SECTION 4th. that Each Clame Shall not Exceed 100 feet on Each Side of the vain and that suficent moniments with notises theiron Shall mark Each Clame and Boundries of of the Same

SECTION 5th that the Record Books Shall Be Subgect to the Enspection of Parties holding or owning mines in this Districk

SECTION Sixth—that the Recorder Shall hold his office for one year or until his Sucesser is Qualified

SECTION 7th that the Districk Shall furnace Good and Suficent Books for the Recorder and they Shell Be Handed over to his Sucesser when Qualefied—

SECTION 8th that a meeting may Be Called at any time By posting up notises of the Same in 3 Conspcous places in the Districk to transact Busness for the Benefit of the Districk—

Adgurned Sine Dic

ROBT KEYES *Chairman*

GEO REID *Clark*

BEAVER *May* 10*th* 1880

at a meeting Called By the Miners of the North Granite Districk Beaver Co U T and held at the house of Geo Reid

on Motion George Reid Was Called to the Chair & Robert Kirshaw Clark

it Moved Seconded & Carried that Section 4 of the By laws Be amended and give all parties locating Clames in the Districk are Entitled to all the Surface Ground Granted By the laws of the United States

also that Robert Kershaw Remain as Recorder

this is all the By laws and amendments

GEO REID

BEAVER COUNTY.—BRADSHAW MINING DISTRICT.

BY LAWS.

BRADSHAW SPRINGS *May the* 1*st* 1875

The miners and residents of Bradshaw Springs met at the Bradshaw Cos house in pursuance to the following notice

APRIL *the* 24*th* 1875

Notice Is hereby given to the miners and residents of Bradshaw Springs that there will be a meeting of said miners on May 1st at 1 oclock P M said meeting will be held at the residence of the Bradshaw Co for the purpose of organizeing a District adopting By Laws, Electing a Recorder and for the transacting of any other buisiness that may come before said meeting

(Signed)

A. B. WATERS
J. BAUSMAN
J. STEWART
J— F WILSON
T. F. COLWELL
U. J. STEWART
J—. L. MAY

The following miners and residents were present. Joseph. L. May, John. W. Bradshaw Urban. J. Stewart Wm. H. Smith Allen. B. Waters Joseph Stewart E. J. Blackburn, James. Gallup. Julien Bausman and T. F. Colwell

On motion, John W Bradshaw was elected President and Joseph. L. May was elected secretary

on motion the following By Laws were adopted by sections

SECTION 1. *Name* This District shall be known as the Bradshaw Mining District

SEC 2 *Boundaries* The boundaries of this District shall be that section of Mineing country lying North of and including Oak and North Springs. and lying west of the Summit of mineral Range and lying South of Pole Cañon and East of the base of foot hills of mineral range

SEC 3. *Discovery* Any person discovering a ledge lode or deposit of mineral bearing rock or ore, in place. may locate and record the same under the following rules and regulations 1st by placing a monument of Stones not less than two feet high or stake not less Than three feet long at the place of discovery

2d. *Boundaries* By placing monuments of stone not less than two feet high or a stake not less than three feet long at each corner of said claim

3d *Notice* By stateing in the notice of location the general direction. the number of feet in length and the number of feet in width of the claim and also the approxomate distance from some natural and well defined object or the nearist located claim

4th *Notice on Corners* By placing notices on each corner or marking each stake stateing the name of the claim and the nomber of feet claimed each way from said corners

5th. *Shaft* By sinking a shaft 4 by 4 on the ledge at the discovery at least two feet deep

SEC 4 *Recorder* A Recorder shall be elected who shall hold his office for the term of one year or until his seccessor is elected, he may appoint one or more deputies who shall be qualified to perform all the duties of Recorder. The appointment of a deputy shall be mad upon the records

SEC 5. The Recorder shall keep in his office a record of all claims filed in a suitable book to be provided for at his expense He will note on each notice filed the day of the month, the year and the hour in which the notice is filed and also on the records

SEC 6 The Recorder shall be a *bona fide* claim owner and a resident of the district

SEC 7 The Recorder shall be entitled to the following fees

For Recording a mineing claim	$3.00
For transcript of any claim and certificate to the same	1.50
For makeing an abstract of any claim and certificate	1.00
For recording work done and certificate of same	3.00
For recording any other instrument of writing (not a mineing claim) for each 100 words	0.25 cts
For makeing an affidavit to any recorded instrument	$1.00

SEC 8 The Recorder shall not be compelled to record any mineing claim or perform any duties of his office if his fees are not tendered in advance

" 9 The Recorder shall call a general annual meeting to be held on the first Saturday of May in each year for the purpose of electing a Recorder and transacting general business

" 10 The Recorder shall be elected by ballot

" 11 The Recorder shall go on the ground and examine, the location of each claim and if section three has not been complied with he shall refuse to record the claim

SEC 12 If the requirements of Sec 3 have not been complied with within twenty days from the location of the claim the claim shall be considered abandoned and subject to relocation

" 13 The Recorder shall call a meeting of the miners of the district upon being presented with a petition for that purpose signed by at least five *bona fide* miners of the district

" 14th The Recorder shall give at least ten days notice of any meeting by posting notices at three conspicuous places within the district

" 15th Should the Recorder be absent from the district for a period of over one month the office shall be declared vacant and a meeting called for the purpose of electing another by posting notices of said meeing in at least three conspicuous places within the district stateing the time and place signed by at least five *bona fide* claim owners of the district

" 16 All claims shall be recorded within twenty days from the date of location

" 17 At or before the expiration of each year from the date of location it shall be the duty of the owner or owners of each mineing claim to have the required one hundred dollars worth of work done on each claim examined and recorded—The Records shall note the kind of work done whither it is a shaft tunnel drift cut or other improvements and also note the demensions of the work done when practeable

" 18 In estimating the value of work done the recorder will value a days work of eight hours at five dollars

" 19 Ten or more *bona fide* claim owners shall constitute a quoram for the transaction of any buisiness

" 20 No person shall be allowed to vote at any meeting who is not a bona fide claim owner in the district

On motion the meeting proceded to elect a recorder

T F Colwell having received a majority of all the votes cast he was declared elected recorder for one year

On motion the meeting adjourned *sine die*

Bradshaw Mineing District Beaver Co Utah Territory May the 1st 1875

I hereby certify that the within instrument is a true copy of the by laws of Bradshaw Mineing District Beaver County Utah Territory, September the 22d 1880

JAMES, GALLUP *District Recorder*

UTAH COUNTY.—SILVER LAKE MINING DISTRICT.

COPPY OF THE MINING LAWS OF SILVER LAKE MINING DISTRICT UTAH COUNTY AND TERRITORY OF UTAH.

SECT 1 The boundries of the district are as follows Commencing at the corner of Mineral Flat District where it Joins Little Cottonwood District running south along the west boundry of Mineral Flat district to the summit of the divide between Provo River and American Fork thence along the divide to the head of South Fork thence along the divide to Bridge No 4. on American Fork Rail Road thence along the divide between Utah Valley to the head of Deer Creek and thence to the place of beginning

SECT 2 The Officers of the district shall consist of a recorder who shall hold his office for one year from the Second Saturday in June of each year, or untill his successor is elected and qualified Provided he may be removed at any time for missconduct or neglect of the duties of his office. The recorder may appoint a deputy for whose official acts he shall be held personally responsible

SECT 3 It shall be the duty of the recorder to provide Suitable books to be known as the district books of record and he shall keep and preserve all original papers presented for record and shall deliver the same to the party or parties authorized to receive them he shall note upon the back of each Notice of location or other instrument filed for record the day and hour of filing thereof and such instrument shall be deemed recorded from and after the filing It shall be the duty of recorder to go upon the ground and post notice of location upon lode tunnel or other claims provided such claim is not attested by two disinterested miners of the district. provided he shall not be required to perform the duties of his office except upon presentation of his fees The district books of record shall be kept within the limits of the district and shall be kept open for inspection during business hours

SECT 4 The recorder shall upon demand and payment of his fees make and deliver over his official Signature a certified copy of the records of any claim or part thereof as may appear on the record Books All examinations of the record books shall be made in the presence of recorder or his deputy

SECT 5 The recorder shall receive the following fees for performing the duties of his office

For recording original lode claim	Three dollars
" " Tunnel Site	Three Dollars
" " Deed or article of agreement	Two $\frac{50}{100}$ Dollars
Issuing Cirtificate of title	Fifty Cents

Posting notice or locating any lode or tunnel Claim per mile going to the Same One Dollar Abstract of record for each name Fifty Cents For recording Certificate of labor One Dollar

SECT 6 Upon the receipt of a petition signed by not less than five claim holders of the district the recorder shall call a meeting of the miners by posting three written notices in three conspicuous places in the district for ten days such notice setting forth the object of such meeting

SECT 7 The annual meeting for the election of recorder shall be held on the Second Saturday of June of each year Three Judges of Election shall be appointed who shall receive and Count the ballot no person shall be allowed to Vote who is not a Claim holder in good faith and reality

SECT 8 We adopt the United States Mining laws throughout from and after this date May 11th 1878.

Committee on revised Laws: W S Pierce E M Yacom

PIUTE COUNTY.—MOUNT BALDY MINING DISTRICT.

BY LAWS OF MOUNT BALDY DISTRICT, PIUTE CO, UTAH. ADOPTED OCTOBER 8TH 1878

ART 1.—That the mining laws of the United States of the Act of Congress approved May 10th 1872, shall be adopted as the local laws of this the Mt Baldy Mining District with the following additional by laws, for the especial governing of this district.

ART 2—This district shall be known by the name of the Mt Baldy Mining District, and is bounded as follows, to wit, on the north, beginning at the south east corner of Section 32, Township 27, range 3 West, of the U. S. survey, thence running west until the said section line intersects with the southern boundary line of the Ohio mining district; thence westerly along the southern boundary line of the Ohio mining district to the summit of the mountains, thence southerly along the summit of the mountains to the head waters of city creek; thence easterly along the course of said creek to the Sevier River; thence northerly along the course of said river to the south east corner of section 32, township 27, range 3 west, U. S. Survey, the place of beginning.

ART. 3. There shall be an officer for said district, to be called the Recorder, who shall be elected on the third Monday in September, by the miners of the district, at their annual meeting.

ART 4—The Recorder shall procure and keep a substantially bound book, to be called the book of locations, in which he shall record all notices of location claims, whether for mining or other purposes, connected therewith; and shall also procure and keep a book to be called the minute book, in which shall be entered a copy of the by laws of the district, with minutes of the proceedings of all meetings, and all other business appertaining to the district.

ART 5. The Recorder shall carefully keep and preserve all original papers filed with him for record, and deliver them upon proper demand to the person or persons entitled to receive the same; and faithfully do and perform all other acts and duties required of him by these laws.

ART 6—The Recorder shall hold office for one year, or until his successor is duly elected; provided, however, that he may be removed at any time for misconduct in office, or neglect of duty, as prescribed by the laws of this district.

ART 7—The record book shall be kept within the limits of this district, and shall be kept open during business hours for examination and inspection.

ART 8—The Recorder may appoint a deputy under him, for whose official acts he shall be held responsible.

ART 9—The recorder shall note upon the back of each notice of location, or other instrument filed for Record, the day and hour of filing thereof, and such instrument shall be deemed recorded, from and after the date of such filing for record

ART 10—When a claim shall have been located and recorded, the Recorder shall, upon request, make and deliver to the claimant, his agent or attorney, a certificate of such location and record, over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

ART 11—All examinations of the Record books must be made in the presence of the Recorder or his deputy, and when his term of office shall expire, the Recorder shall turn over to his successor all books, papers and other property pertaining to his office.

ART 12—The Recorder shall be authorized to demand and receive for his services the following fees, to wit: For each lode or other claim recorded by any person or company of persons, $2; for each official certificate, 50 cents; for recording each deed, power of attorney, or bill of sale, $1.50.

ART 13—All claims shall be recorded within 20 days of the location of said claims, and a blazed tree, stake or board shall designate the name of lode or claim, and the amount of ground claimed by the location, with the direction of said location.

ART 14—That once in each year from the date of location of each claim, the owner or owners of each claim, or their agents or representatives, shall request the Recorder to go upon said claim to examine and value the amount of work done upon said claim, during said year.

ART 15—That within three days from the date of said request the Recorder shall go upon said claim and examine and value the amount of said work, and shall deliver to the owner or owners or their agent or representative a certificate of the value and nature of said work; and in case of any dispute arising in regard to the amount of labor performed, three disinterested miners shall be selected to decide the question.

ART 16—The Recorder shall demand and receive for such certificate 50 cents together with mileage, at the rate of 50 cents per mile, from his office to the claim.

ART 17—No person shall be entitled to vote at any meeting of miners, unless he owns a bona fide interest in a mining claim in this district.

ART 18—The by laws of this district may be revised, repealed or amended at any regular meeting that may be duly called by ten or more bona fide claim holders in said district.

ART 19—Ten days notice shall be given in writing, and posted, in three separate places in the district, previous to any meeting for a revision of the laws; and special meetings may be called in the same manner.

ART 20—That it shall be the duty of the Recorder to give ten days notice of the time of holding the annual meeting, and the place thereof, by posting notices, in not less than three conspicuous places in the district; and that said annual meeting shall be held on the third Monday in September of each year.

ART 21—These laws shall take effect and be in force from and after their passage.

WM T. DENNIS *Chairman*

GEO T. HENRY. *Sec.*

On September 20th, 1880, the following additional by law was adopted.

The Recorder or his Deputy shall visit any claim hereafter located in this District, and witness the boundaries of said location within ten days of filing record thereof, and for these services the Recorder shall receive the sum of $3, in addition to the record fee.

MILLARD COUNTY.—DETROIT MINING DISTRICT.

Transcript of By Laws of Detroit Mining District, as recorded August, 29, 1879., in Book "D" of Deeds, page 270.

DETROIT MINING DISTRICT *August 27th* 1879.

At a meeting of the miners of the Detroit Mining District situated in the House Range of Mountains in Millard County, Utah Territory, James Puffer was elected Chairman, and Charles M. Howard Secretary.

The following local laws are hereby adopted.

ART. 1. This District shall be called the Detroit Mining District.

ART. 2. The boundaries of this District are as follows, commencing at a point five miles east of the United States mineral monument No 1. thence five miles north, thence miles west, thence ten miles south, thence ten miles east, thence five miles north to point of beginning.

ARTICLE 3. The election of Recorder shall be held annually on the last Wednesday of August in each year, Charles M. Howard being duly elected Recorder shall continue in office until the last Wednesday in August 1880.

ARTICLE 4. The fees for recording shall be five dollars for each mining claim of fifteen hundred feet or less in length. The Recorder or his Deputy shall be obliged to visit a claim and note its boundaries before recording, the same fees shall be allowed for recording a Mill site or other location.

ARTICLE 5. The Recorder or Deputy after inspecting a claim shall be authorized to issue a certificate of the assessment labor performed thereon, his fees shall be three dollars for each certificate.

ARTICLE 6. The laws of this District in regard to the length and width of mining claims shall be the same as the United States Mining laws, approved May 10th 1872 with one hundred dollars worth of labor performed each year.

ARTICLE 7. A Notice of location with description of locality or near to what claims if any shall be recorded in the records of said District within thirty days from the day of location.

ARTICLE 8. The records of this District shall free and open always in the presence of the Recorder for the inspection of interested parties during business hours.

ARTICLE 9. It shall be the duty of the Recorder on receiving a written request from three or more miners of this District to call a public meeting, to post notices in conspicuous places specifying therein the nature of the business to be transacted ten days prior to the date of the meeting.

JAMES PUFFER *Chairman*

CHARLES M. HOWARD *Secretary.*

Recorded Aug. 29, 1879.

SAN PETE COUNTY.—WHITE RIVER MINING DISTRICT.

SAN PETE COUNTY UTAH TER. *Sept* 12.*th* 79.

"A Call" to the Miners of this locality, formerly known as the Davidson Mining District:

We the Bona Fide Miners, of this District believing it to be for the best interests of the mine holders of this locality that a Meeting of the Bona Fide Miners meet and perfect and revise, and make such local laws as shall protect us in our rights as Miners, this meeting is to be held at Davidsons Sheep Ranch near Price River, this meeting is to be held on the 21st of September 1879, at 12. o'clock M.

(Signed) John G. Crocker A. H. Ekker M. Davidson H. Player Thomas McNiel Henry Pickering Anthony Dory D. Davidson Frans A. Sevensen Nick Groesbeck Jason T. Gourkee B. Pierce Stephen Groesbeck A. G. Conwell Solomon Slatter and many others

Copy From the Records of Utah County—Filed and Recorded October 11th 1879 in Book "E." page's 733 to 736 inclusive

PROCEEDINGS OF A MINERS MEETING, CALLED AS PER NOTICE, AT DAVIDSONS RANCH ON THE 20TH DAY OF SEPTEMBER 1879

Meeting called to order—by E. Covington:

On motion of John G. Crocker, Mr Mathew Davidson was elected chairman. John G. Crocker was elected Secretary.

motion of E. Covington a committee was elected to Draft a set of By Laws for the regulation of the District the Committee elected were Wm Davidson—John G. Crocker—E Covington:

While the committee was absent, Mr Davidson stated that it would be impossible for any of his people to attend to the duties of the District, he also appointed E. Covington to call at his fathers house and procure the old Books, and have them turned over to the proper parties. The Committee then Reported the following By Laws which were adopted.

BYE LAWS OF MINING DISTRICT

ARTICLE 1st This District shall be known as the White River Mining District. Commencing at a point where the County road crosses the big hill there being a large monument erected on the brow of the hill, as an initial point—running South five miles—thence West Thirty miles—thence North twenty miles—thence East thirty miles—thence South fifteen miles to the place of beginning.

ARTICLE 2d There shall be an annual meeting of the miners of the District held on the —— of each year for the purpose of Electing a Recorder for the District.

" 3d The Recorder shall procure and keep a substantially bound Book to be called the book of locations, in which he shall record all Notices of locations, claims, whether for mining or other purposes connected therewith.

" 4th He shall carefully keep and preserve all original papers filed with him for record, and deliver them upon proper demand to the person entitled to receive them, and faithfully do and perform all other acts and duties, required of him by these laws.

" 5th The Recorder shall hold office for one year, or until his successor is duly elected, Provided however that he may be removed at any time for misconduct in office, or neglect of duty as prescribed by the by laws of this District

" 6th The Record Books shall be kept, within the limits of the District and shall be kept open during business hours for examination and inspection

ARTICLE 7th The Recorder may appoint a Deputy under him for whose official acts he shall be responsible.

" 8th He shall note upon the back of each notice of location, or other instrument filed for Record, the day and hour of filing thereof, and such instrument shall be deemed recorded from and after the date of such filing for record.

" 9th When a claim shall have been located and recorded, he shall upon request make and deliver to the claimant his agent or Attorney, a certificate of such location and record over his official signature, which certificate shall be conclusive evidence of the facts therein stated.

10th All examinations of the record books, must be made in the presence of the recorder, or his deputy, and when his term of office shall expire, the recorder or his deputy shall turn over to his successor all books and papers and other property pertaining to his office.

11th The Recorder shall be authorized to demand and receive for his service the following fees to Wit: For each claim or Tunnel, recorded by any person, the sum 50 cts, the same fee shall be fixed for deeds, power of attorney, or bill of sale, transcript or official certificate.

12th A Mining claim shall, whether located by one or more persons, may equal but shall not exceed fifteen hundred feet in length along the line of Vein or lode, but no location of claims shall be made until the discovery of the Vein or lode within the limits of the claim located, no claim shall extend more than three hundred feet each side of the Vein or Lode.

13th Locations shall be made by posting Notices, on a Tree or some substantial stake or monument, at the point of commencement, a legible notice stating, the date of location, the number of feet in length of the claim or Tunnel, the number of feet each way from the notice, both in length and width of claim as near as possible, the course it runs, the names of the persons making the location, and such notice shall so describe such location, that its boundaries can be traced from the surface.

14th All records of location shall contain such a description of the claim or Tunnel located by reference to some natural object or permanent monument, as will identify the same. All locations whether of Claim or Tunnel, shall be recorded within twenty days after location is made, unless the locators shall hold the same by constant labor thereon, otherwise the ground shall be considered abandoned.

15th On each claim located, not less than One hundred Dollars worth of work shall be done each year, until a Government Patent obtained therefor, a failure to comply with the requirements, shall be deemed equivalent to an abandonment of the claim, and render the same subject to relocation: on each Tunnel there shall be One hundred Dollars of work done each year, and a failure to prosecute the work for one year shall be considered an abandonment of the same, all cases of dispute arising in regard to mining claims, shall be referred to a board of Arbitration selected by the Miners of the District at a Special meeting called for the purpose.

16th Any person or persons shall have the right to locate for Mining purposes, any ledge, lode, or deposit, and work the same through and by means of a Tunnel, and any work done on such Tunnel claim shall be considered as work done on the whole claim or location.

17th No Person shall be entitled to Vote at any meeting of Miners unless he owns bona-fide interest in a mining claim in this District

18th The By Laws of this District may be repealed or amended at any meeting that be duly called, by a majority of the Miners present it will require ten bona-fide claim holders of the District to constitute a quorum at such meeting

19th It shall be the duty of the Recorder, previous to any meeting for a revision of the By-Laws, to give at least Ten day Notice of the same, by posting notices of the said meeting, in three conspicuous places in the District, and to publish said notice for at least one number of the nearest paper published in the vicinity; it shall be his further duty, to issue a call for a meeting at the written request of five bona-fide claim holders, by posting notices as before mentioned; at said meeting no business shall be transacted other than that specified in the call.

20th These Laws shall take effect, and be in full force from and after their passage.

On Motion of A. G. Conwell, that John G. Crocker be appointed to examine the Organization of the Davidson Mining District, and if any of the Rules or Regulations, conflict with the Rules of the Paryphine Mining District they are null and void and of no force and effect.

John G. Crocker—committee on establishing the lines and boundaries, stated that it would be impossible, to do justice to all interested, unless we made the District large enough to embrace what had been prospected, and in order to do justice to all, the boundaries could not be less than the lines reported. The boundaries were accepted.

On motion of Albert Ekker, the proceedings of this meeting were ordered published.

John G. Crocker was appointed committee on printing.

On Motion of Albert Ekker—Mr John G. Crocker was nominated and Elected Recorder.

On motion of Wm Davidson A. G. Conwell was appointed to procure a sett of Books. The Meeting then adjourned

MATHEW DAVIDSON *Chairman*

JOHN G. CROCKER *Secretary*

TERRITORY OF UTAH

Utah County S. S.

I, James E. Daniels Recorder in and for said County do hereby certify that the foregoing is a full true and correct copy of the original as recorded in the official Records in my office on the 11th day of October A. D. 1879—in Book "E" pages 733 to 736 inclusive—Utah County Mining Records.

In Witness whereof I have hereunto set my hand and Seal Officially at my Office in Provo City this 18th day of November 1880.

[SEAL.] JAMES E. DANIELS *County Recorder.*

JUAB COUNTY.—MOUNT NEBO MINING DISTRICT.

BY LAWS.

ARTICLE I This District shall be known as the Mount Nebo Mining District and the said District shall commence at the Mouth of Willow Creek and from thence runing east to the sumit of Mount Nebo thence runing North to the County line of Juab from thence West to the back of the Mountain from thence South to the place of commencement.

" II. There shall be an officer for said District to be called the Recorder who shall be elected on the 5th day of May by the Miners of this district at their annual meeting.

" III The Recorder shall procure and keep a substantial bound book to be called the book of location in which he shall record all notices of location claims whether for mining or other purposes, connected therewith.

" IIII He shall carefully keep and preserve all original papers filed with him for record and deliver them upon proper demand to the person or persons entitled to receive the same and faithfully do and perform all other acts and duties required of him by these Laws.

" V The recorder shall hold office for one year or until his successor is duly elected provided however that he may be removed at any time for misconduct in office or neglect of duty as prescribed by the laws of this district

" VI The record book shall be kept within the limits of the district and shall be kept open during business hours for examination and inspection.

" VII The recorder may appoint a deputy under him whose official acts he shall be held responsible.

" VIII He shall note upon the back of each notice of location or other instrument the day and hour of filing thereof and such instrument shall be deemed recorded from and after the date of such filing for record.

" IX When a claim shall have been located and recorded he shall upon request make and deliver to the claimant his agent or Attorney a certificate of such location and record over his official signature which certificate shall be conclusive evidence of the facts therein stated.

" X All examinations of the records books must be made in the presents of the recorder of his deputy and when his term of Office shall expire the recorder shall turn over to his success or all books papers and other property pertaining to his Office.

" XI The Recorder shall be authorized to demand and receive the following fees to wit.

for each Lode recorded by any person or company of persons	$3.00
for each claim otherwise recorded	.50
for each Official certificate	.50
for each Deed power of Attorney &c	1.00
And for inspecting each claim	1.00

" XII. No person or company of persons shall be entitled to hold more than two hundred feet (200) as discovery of a Lode nor more than (200) two hundred feet for each person located and the number of feet in all shall not excede three thousand (3000) the surface width requsite for mining purposes or for the conveniant working of the same shall not exced fifty feet (50) on each side of the walls or vein of said Lode when it may become necessary for mining or milling purposes then an appurtenant or ajacant tract is requisite the same shall exceed in its limits a space four hundred (400) feet long by three hundred (300) feet in width and such tract may be situated at the nearest available point within the limits of the district, provided the same shall be distant more than one half mile from said vein or lode.

Above By Laws accepted February. 1st 1880

TERRITORY OF UTAH
County of Juab ss

I Alma Hague County Recorder in and for Juab County Utah Territory do hereby certify that the above and foregoing By Laws of the Mount Nebo Mining District are full and correct as shown by the records of said District now in my Office

[SEAL.] ALMA HAGUE *County Recorder*

BEAVER COUNTY.—STERLING MINING DISTRICT.

MINING LAWS.

WAH WAH RANGE,
BEAVER COUNTY UTAH TERRITORY *April* 2, 1880

At a meeting of the miners held April 2nd 1880 Archibald Richie was elected Chairman and James W Mooney. Secretary the following Local Laws was adopted.

ARTICLE 1. The boundaries of this District are as follows Commencing at a point five miles due East from the Champion Mine and thence runing South 5 miles thence West 10 miles Thence North (10) miles thence East (10) miles Thence South (5) miles to place of beginning.

ARTICLE 2.—This District shall be called Sterling Mining District

ARTICLE 3.—The Election of Recorder shall be held annually on the 2nd day of April James W. Mooney being duly elected Recorder Shall continue in Office until April 2nd 1881

ARTICLE 4.—The fees for recording shall be three Dollars for each Mining Claim of 1500 feet or less in length The Recorder or his Deputy shall be obliged to visit a Claim and note its boundaries and locality before recording

ARTICLE 5.—The recorder of this District shall not record any Claims that will Conflict with any previously located Claims Provided the parties owning such Claims have complied with the United States Mining Laws Approved 1872.

ARTICLE 6.—The Recorder or his deputy after surveying a claim shall be authority sufficient to issue a certificate of the assessment labor performed thereon his fees shall be three Dollars for each certificate.

ARTICLE 7.—The laws of the District in regard to the length and breadth of mining claims Shall be the same as the United States Mining Laws Approved 1872 with 100 Dollars worth of Labor performed annually.

ARTICLE 8—A Notice of location with description of locality near to what claims, if any shall be recorded in the records of said District within 20 days from the date of location

ARTICLE 9.—The records of this District shall be free and open always in the presence of the Recorder for the inspection of interested parties during business Hours.

ARTICLE 10—It shall be the duty of the Recorder after receiving a written request from three or more miners of this District to call a public meeting to post notices on his Office door and other conspicuous places specifying therein the nature of the business to be transacted Ten (10) days prior to the date of the meeting

ARCHIBALD RICHIE *Chairman*

JAMES W. MOONEY *Secretary*

MILLARD COUNTY.—HOLDEN MINING DISTRICT.

ABSTRACT OF THE BY LAWS OF THE HOLDEN MINING DISTRICT AS RECORDED SEPTEMBER 3D 1880., IN BOOK "D" OF DEEDS PAGE 402.

At a Miners meeting held at the residence of Daniel Johns in the town of Holden, Millard County, and Territory of Utah was called by the posting of notices 5 days prior to said meeting. R. B. Barnes was called to the chair and J. S. Giles Clerk of the meeting. The following By Laws were adopted:

ART. 1st. This District shall be named Holden Mining District.

ART. 2d This District shall be bounded as follows, to wit: Commencing at the southwest corner of Section (31) in TSp. 20 south of range (4) west, Thence due east to the summit of the Mountains deviding Pavant & Round Vallies, thence North Eighteen miles, Thence west to the north west corner of Section 6 in Tp. 18 South of Range 4 west, thence south 18 miles to the place of beginning.

ART. 3d The election of Recorder of this district shall be held annually on the last Saturday of July, whose term shall be for one year and until his successor shal be elected and quallified as required by act of the Legislative Assembly of Utah approved Feb. 18, 1880. J. S. Giles was elected Recorder for the currant year.

ART. 4th The fees for recording each location Notice and description of Claim shall be the same as the County Recorders are authorized to charge for like services.

ART. 5th The Recorder after having inspected a claim is authorized to issue a certificate of the amount of assessment labor performed thereon, his fees for each certificate shall be three dollars.

ART. 6th The laws of this District in regard to the length and width of a claim and the amount of labor performed thereon each year shall be the same as the U. S. Mining Laws approved May 10, 1872.

ART. 7th All notices of locations with descriptions shall be recorded within thirty days from the date of location.

ART. 8th The corners of each claim shall be marked by a stake or monument upon which shall be marked the name of the mine.

ART. 9th The records of the district shall be free and open for the inspection of interested parties at all business hours. Always in the presence of the recorder.

ART. 10th It shall be the duty of Recorder on receiving a written request from three or more miners of the district to call a public meeting by posting notices in conspicuous places in the district specifying therein the nature of the business to be transacted.

Holden July 31st 1880.

(Signed) R. B. BARNES, *Chairman.*

J. S. GILES *Clerk.*

BEAVER COUNTY.—PREUSS MINING DISTRICT.

MINERS MEETINGS

At a meeting of Miners held in pursuance of Notice on the 4. day of September at 4. Oclock P. M. 1880. Wm H. Burnison was Elected Chairman, and O. S. Carver was Elected Secretary.

The following Resolution offered by Adam Cunningham was unanimously adopted.

Resolved, that we proceed to reorganize Preuss Mining District, with the following Metes and bounds to wit, Bounded on the South by San Francisco District, on the West by Wah wah Vally, on the North by Bitter Lake District, on the East the Summit of the Mountains, Beaver County Utah Territory.

On Motion of Brigham Pollock the following Laws and Regulations were adopted that we repeal all of the former Mining laws of Preuss Mining District prier to September 4.th 1880.

SECTION 1. Each location made in the District shall be made in conformity to the Laws of the United States and the laws of Preuss District governing the locating and taking up of Mineral bearing Ledges.

SECTION 2. Each location made in the District shall be designated by a prominent Monument at least four 4. feet high on the lode Claimed, and one Monument on each corner of said lode, and the Notice of Claim or location shall give the date of location, day, month, and year, the number of feet claimed, the extent of Claim each way from place of Notice and the name in full of each locator or Claimant.

SECTION 3. All Lodes ledges located in this Distaict shall not exceed fifteen hundred (1500) feet in length along the course of the vein or lode and six hundred (600). feet in width being three (300) feet on each side of the centre of the vein.

SECTION 4. Each claim or location shall be recorded in the Mining Records of the District within Twenty days after location.

SECTION 5. There shall be performed in labor each year one hundred dollars ($100). on each Claim or location.

SECTION 6. The Recorder shall be entitled to and receive the following fees for services done and performed by him, For Recording each location one dollar.

SECTION 7. The Recorder shall have the power to appoint A Deputy to act in his stead and shall also have power to remove the same at pleasure, the appointment or removal shall be entered of Record in the Book of Records of the District

SECTION 8. There shall be elected annually on the first day of September a Mining Recorder for the District who shall hold his office for one year or until his successor is elected and qualified unless sooner removed by death or other disability.

SECTION 9. These laws shall take effect and be in full force from and after this date.

On Motion of O. S. Carver seconded by Adam Cunningham Geo Wenceslaw was duly elected Mining Recorder of the District for one year

All the above and foregoing proceedings regulations laws and resolutions are unanimously approved passed and ratified and subscribed to in writing by each of the undersigned on this 4 day of September 1880.

WM H BURNISON *Chairman*

OLIVER, S, CARVER	BRIGHAM. POLLOCK	JAMES. R. GORDON
MICHAEL FREE	GEORGE WENCESLAW.	ADAM CUNNINGHAM

UTAH TERRITORY

County of Beaver ss.

I George Wenceslaw, Mining Recorder for Preuss Mining District hereby certify that the foregoing is a true and correct copy of proceedings of Miners Meeting and laws of Preuss Mining District as adopted September 4th 1880.

Witness my hand this 4.th day of September 1880.

GEORGE WENCESLAW *Recorder.*

BEAVER COUNTY.—GRANITE MINING DISTRICT.

BY-LAWS, OF GRANITE MINING DISTRICT.

ARTICLE 1.—.That the boundaries of this District shall be Known and described as follows "To Wit,"—Commencing at a point one mile North of Mud Springs in the West Mountains, Beaver County Utah Territory, running thence due West to the apex, ridge or summit of said West Mountains; Thence running Southerly along the ridge or Summit of said West Mountains Seven miles; Thence running East four miles; Thence due North Seven miles more or less to a point due East of the place of beginning; Thence due West to the place of beginning.

ARTICLE.—2.—That this district shall be Known as the Granite Mining District.

ARTICLE 3—.That no Location shall be made or Recorded, claiming more than 1500 feet along the Ledge, linearly, or more than 300. feet each side of the centre of the Ledge for working purposes.—Provided, that this Article shall not prevent any person or persons from locating or Recording a claim of less than 1500 feet linear along the Ledge or Lode or less than 300 feet on each side of the centre of the Vein or Lode.

ARTICLE 4—.That all claims Located shall have a Notice posted on Such Location, Date of Location and Date of record; names of person or persons making the Location, and shall describe the Location in such manner that its corners and Location monuments can be readily found and its boundaries traced; also the number of lineal feet claimed along the Ledge and the number of feet claimed on each side of the centre of the Vein or Lode.

ARTICLE 5—.That no Location shall be made and Recorded, until rock containing Gold, Silver, Lead, Cinnabar or other mineral shall have been discovered within the limits of the Location.

ARTICLE 6.—That no Location shall be complete unless a Monument or Stake is placed at each corner of the claim on which shall be written or marked the name of the mine or Location; the number of the Stake and the Geographical name of the corner of the Location on which the stake is placed. A Stake shall also be placed at each end centre of the claim.

ARTICLE 7—.That all Notices of Location shall be recorded or filed for record with the Recorder of the District within (30) Thirty days from the date of Location.

ARTICLE 8—.That it shall be the duty of the Recorder on the receipt of any Instrument for Record to note thereon the day, hour and minute which the same may have been received, and attest the same by his official signature.—.Provided that he shall have first received the fee allowed by these Articles for Recording such Instrument.

ARTICLE 9—.That each Location made shall have work or labor done or improvements made on such claim or Location to the Value of One Hundred Dollars within One Year from the date of Location, and the same amount during each year thereafter

ARTICLE 10.—That failure to comply with the provisions of "Article" "9" shall constitute and abandonment of the claim or Location, and further any person or persons may make application to the Recorder of the District for an examination of the Location to ascertain whether the provisions of Article "9" have been complied with, and on such application being made, it shall be the duty of the Recorder to proceed and examine the Location named in the application and if upon examination he finds that the provisions of "Article 9," have not been complied with or that the corner Stakes have not been placed and marked as required by "Article 6," and that none of the original Locators or their assigns or heirs are in possession of the property he shall so certify, and further it shall be his duty to record in the District Records the application and Certificate, the record of which shall be evidence that the claim is abandoned an the same shall then be open to Location by the applicant or other person or persons.

For complying with the provisions of this Article the Recorder shall have the following fees,

For Recording application	One Dollar
" " Certificate	One Dollar
" each mile traveled in examination of the claim	Twenty five cents.

ARTICLE 11.—That if the owner of any claim or Location shall apply to the Recorder for an examination of the claim to ascertain whether the provisions of Articles "9" and "6" have been complied with it shall be the duty of the Recorder to examine said Location

and if he finds that there has been work done on the Location in either "Shaft," or "Incline" to the Value of One Hundred Dollars and that the provisions of "Article 6" have been complied with he shall make Certificate to that effect and place the same upon record (of) in the District Records.

For complying with the provisions of this Article the Recorder shall receive the following fees. For making and Recording Certificate ($1 ^{00}) One Dollar and Fifty cents.

For each mile traveled in making examination Twenty five cents.

ARTICLE 12.—Sec., 1.—That the sinking of a Shaft or incline in hard or blasting rock (10) Ten feet in depth the first year after Location shall be deemed work on the Location of the value of One Hundred Dollars—Provided that the face of the "Shaft" or Incline shall contain at least Twenty four square feet.

SECTION 2—.That every Nine (9) feet thereafter sank in depth shall be considered as work done of the Value of One Hundred Dollars.

SECTION 3—.That the sinking of a Shaft whose face shall contain not less than (24) Twenty four square feet (15) Fifteen feet in depth during the first year after Location shall be deemed work done on the claim or Location of the Value of One Hundred Dollars.

SECTION 4.—That every (12) Twelve feet sank in depth after the first (15) Fifteen feet shall be deemed as work done on the claim or Location of the value of One Hundred Dollars.

ARTICLE 13.—That on the 20th of September of each year a Recorder shall be elected who shall hold office for the term of one year.

ARTICLE 14″.—That it shall be the duty of the Recorder to Keep in a suitable Book a true and correct copy of all Locations made within the limits of the District. He shall also cause to be alphabetically indexed in a separate Book the name of each and every Location made and recorded. This Index shall show the name of every Locator; the number of feet Located; Date of Location; Date of Record and page and Volume of Book where recorded.—

ARTICLE 15—That it shall be the duty of the Recorder to call on the 15″ day of September in each year by Notices posted in at least Three (3) different places within the limits of the District a call for a Miners meeting to be held at the office Recorder on the 20th of the same month for the purpose of electing a Recorder for the ensuing year and transacting such other business as may come before the meeting. And in case the Recorder shall fail or neglect to make in compliance with this Article such call it shall be lawful for any (3) three persons who are owners of mining Locations within the limits of the District to make the call as this Article provides with the exception of dates. for a meeting to be held for the same purpose on the 1st day of the succeeding month, and this call and the proceedings of the meeting held in pursuance of it shall have all the force and effect as if it had been called by the Recorder.

ARTICLE 16.—That a miners meeting may be called at any time by the service of a Notice requesting such meeting, signed by at least (4) four persons who are owners of Locations within the District, upon the Recorder and immediately after receiving such request or Notice it shall be the duty of the Recorder to call such meeting by posting Notices in at least (3) places within the limits of the District at least (5) five days prior to the day of meeting.

ARTICLE 17.—That every person who is an owner or part owner of any Location within the limits of the District shall be entitled to cast a vote at any miners meeting, and any vote may be challenged and rejected unless unless the person tendering the vote can show to the Judge and clerks of the election by the District Recorders or Deeds of Conveyance that he is entitled to cast a ballot.

ARTICLE 18.—That at all meetings held for the purpose of electing a Recorder, each of the candidates may select one person to act as clerk of the election and if the candidates fail to make such selection or appointment, it shall be the duty of the Recorder to appoint two (2) two persons to act as Clerks of the election.

ARTICLE 19.—That the election of Recorder shall be by ballot.

ARTICLE 20.—That the Recorder shall be the Judge at all miners meetings where it becomes necessary to ballot upon any question.

ARTICLE 21.—That the Clerk of the election shall each keep a true and correct list of the names of every person who may or shall cast a ballot.

ARTICLE 22.—That the polls shall be opened on the day of electing a Recorder at (7) Seven o'clock A. M. and shall be closed at (6) Six o'clock P. M. and ballots shall be received and counted unless the Judge, and at least two clerks are present.

ARTICLE 23.—That immediately after the polls are declared closed the Judge and Clerks shall in the presence of the candidate, if they so elect to be present, proceed to count the votes and the candidate having the greatest number of votes shall be declared elected by the Judge, and he shall enter upon the duties of his office without further proceedure.

ARTICLE 24.—That these Articles and By-Laws may be altered, amended, or repealed, or added to at any miners meeting

ARTICLE 25.—That the Recorder may appoint as many deputies as he may deem necessary and he shall be held responsible for the official acts of any and all deputies so appointed

ARTICLE 26.—That the Recorder shall receive a fee of two (2 ^{00}) Dollars for each Notice of Location filed with him for record.

ARTICLE 27.—That the Records of the District may be kept at the County Seat of Beaver County Utah, by the recorder or his deputy till the 10″ day of October A. D. 1880 for the purpose of transcribing from the County Records all Locations there recorded that have been made within the limits of this District, during the (12) twelve months last past, and also all Notices of Location upon which assessment work has been done, whether Located within the last 12 (twelve) months or not.

ARTICLE 28—That the words shaft or incline wherever used in these Articles shall be held to mean a shaft or incline with a face of at least (24) twenty four square feet.

ARTICLE 29.—That where two or more shafts or inclines have been sunk or excavated on the same Location the Recorder shall in estimating or measuring assessment work include all such shafts or inclines as if they were but one continuous shaft or incline.

ARTICLE 30—That a miners meeting may be called by the owner of any Location if he deems himself wronged by the Recorders estimate of assessment work for the purpose of verifying or correcting the Recorders estimate

Dated Granite District Beaver County Utah September 20″ 1880

A. A. PUTNAM *Secretary*

BEAVER COUNTY.—RISING SUN MINING DISTRICT.

BY-LAWS. OF THE RISING SUN DISTRICT.

At a miners meeting in Minersville Beaver County John Blackburn was called to the chair and William Dotson Secretary the following By-Laws were read by E S Barnes. and unanimously adopted.

On motion E S Barnes was nominated Recorder the ensuing year. Seconded and carried unanimously.

"BY. LAWS OF RISING SUN DISTRICT."

ARTICLE 1.—:This District shall be known by the name of "Rising Sun Mining District." and is bounded as follows (To wit) Beginning at the Western boundary of the Town of Minersville on the South boundary of the Mining District of "Lincoln" thence East to the Beaver Canon thence following the meanders of the Beaver Stream along the Southern Boundaries of Lincoln and Granite Mining Districts to Rocky point situated about (200) yards. North of Rocky Ford thence East three miles thence South Eight miles thence West to a point due south Western boundary of the Town of Minersville thence North to the place of beginning.

ARTICLE 2nd.—:There shall be an Officer for said District called the Recorder. and shall be elected annually.

ARTICLE 3rd.—:The Recorder shall procure and keep a Substantial bound Book to be called the Book of Locations and which he shall Record all Notices of Locations claims whether for mining or other purposes connected therewith

ARTICLE 4th.—:He shall carefully Keep and perserve all oroginal papers. filed with him for Record and deliver them upon proper demand to the person or persons entitled to Receive the same and faithfully do and perform all other acts and duties required by him by these Laws.

ARTICLE 5.—:The Recorder shall hold Office for one year. or until his successor is duly elected. Provided however that he may be removed at any time for misconduct in Office or neglect of duty as prescribed by the Laws of this District.

ARTICLE 6.th.—.The Recorders Books shall be kept. within the limits of the District and shall be kept open during business hours for examination and inspection.

ARTICLE 7. th.—:The Recorder may appoint a Deputy under him for whose Official acts. he shall be held. responsible.—:

ARTICLE 8th.—:He shall note on the back of each notice of Location or other instrument Filed for Record the day and hour of filing thereof and such instrument shall be deemed Recorded from and after the date of such filing for record.

ARTICLE 9th.—:When a claim shall have been located and Recorded he shall upon request make and deliver to the claimant his agent or attorney a certificate of such Location and Record over his Official Signature, which certificate shall be conclusive evidence of the facts therein stated.

ARTICLE 10th.—:All examinations of the record Books must be made in the presence of the Recorder or his Deputy and when his term of Office Shall expire the Recorder shall turn over to his successor all Books papers and other property pertaining to his Office.

ARTICLE 11th.—:The Recorder shall be authorized to demand and receive for his service the following fees (To wit:)

For each Lode recorded by any person or Company of persons	$3.00
For each claim otherwise Recorded	50
" Each Official Certificate	50
" each Deed, power of Attorney	1.00

ARTICLE 11th.—:No person or company of persons Shall be entitled to more than (200) feet as discovery of a Lode nor more than 200. feet. to each person located and the number of feet in all such shall not exceed 3000 feet. the surface width requisite for mining purposes or for convenient working of the same shall not exceed 50 feet. on each side.—:

ARTICLE 12th.—:Of Walls of said Lode, or vein when it may become necessary For mining or milling purposes that an appurtenant or adjacent tract is requisite the same shall not exceed in its limits a space 400 feet long by 300 feet in width such tract may be situated at the nearest available point within the limits of the District.

ARTICLE 13:—:All claims shall be recorded within Twenty days of Location a monument of Stone or blazed tree or a stake with the notice and name of Lode designated and amount of ground claimed by the Location unless the parties shall hold the same by constant labor on the same.

ARTICLE 14th.—:In making record of Locations of any claim the same shall be definately described with reference to some natural or artificial monument—each lode shall shall be represented every year by 25^{00} Twenty five Dollars worth of labor actually performed thereon within (90) Days after the location shall have been recorded otherwise it will be considered abandoned and open for relocation unless it can be shown to the Satisfaction of the Recorder that One Thousand ($1000) Dollars had been performed and a Patent taken for the same in case of any dispute arrising in regard to labor performed three disinterested miners shall be selected to decide the question.

ARTICLE 15.—:Any person or persons may locate a Tunnel by posting at the point of commencement a notice such as is required in locating of Lodes specifying the name of person or persons claiming the right the course such Tunnel is run the Lode or Lodes it is intended to work and by filing for Record a similar notice in the Recorders Office Labor shall be performed thereon the same as required in holding a Lode.

ARTICLE 16.—:No person shall be entitled to vote at any meeting of miners unless he owns a bona-fide interest in a mining claim in this District

ARTICLE 17:=The By Laws of this District may be repealed revised or amended at any regular meeting that may be duly called by Ten or more bona-fide, Claim holders in said District.

ARTICLE 18.—:Ten (10) days notice shall be given in writing and posted in three (3) seperate places previous to any meeting for any reversion of the Laws and special meetings may be called in the same manner.

ARTICLE 19.—:All Laws and part of Laws in this District conflicting with these Laws or any of the mining Laws of the United States are hereby repealed

ARTICLE 20—:These Laws shall take effect and be in full force from and after their passage.

JEHU BLACKBURN *Chairman*

WILLIAM DOTSON *Secretary*

WASHINGTON TERRITORY.

WHATCOM COUNTY.—RUBY MINING DISTRICT.

SKAGIT RIVER MINING REGION

This district was organized February 23rd, 1879, by T. J. Armstrong, Mitchell Casey, H. C. Pierce, John Rowley, and J. E. Woods, on which occasion the following regulations were adopted:

SEC. 1. This shall be known as Ruby District, and shall embrace the following: beginning at the upper part of the jam on Canyon Creek; thence down the said creek to its junction with Ruby Creek to the Skagit river, and their tributaries.

SEC. 2. There shall be two kinds of claims—bench or bar, and creek.

SEC. 3. Creek claims shall be located up and down the creek: shall be five hundred feet in length, extending on either side until the bed-rock shall have risen fifteen feet.

SEC. 4. Bench or bar claims shall have a front of two hundred feet, extending back until the bed-rock shall have risen twenty-five feet.

SEC. 5. All claims shall be located by a notice, which shall give date and time of location, and describe the boundaries of the claim. The notice must be posted in some conspicuous place on the claim.

SEC. 6. All claims must be recorded within ten days after location.

SEC. 7. All claims must be represented on the first day of July.

SEC. 8. A recorder shall be chosen, who shall have charge and be responsible for all books and papers belonging to the office.

SEC. 9. The recorder shall be entitled to two dollars and a half for each claimed recorded; shall not be compelled to record without this fee; and shall have right to appoint a deputy recorder.

On July 1st (1879) a meeting of twenty-nine miners was held "for the purpose of revising and amending the laws of this District," when the following regulations were adopted:

SEC. 1. When claims join, owners may consolidate and have their several claims recorded as a company claim; and work on any of the company claim shall represent the whole, provided that each share of five hundred feet shall be represented by the labor of one man at least six days in each month.

SEC. 2. Each claim of five hundred feet shall be represented at least six working days in each month.

SEC. 3. The boundaries of this district shall be extended to include all of Canyon Creek and its tributaries.

SEC. 4. Claims of this district to be laid over from the fifteenth day of October, 1879, to the first day of July, 1880.

SEC. 5. The recorder shall be compelled to call a meeting at the request of ten *bona fide* miners of Ruby district, and shall post notices in three conspicuous places at least five days prior to the meeting.

SEC. 6. Where miners are actual partners, and engaged in mining in Ruby district, their several claims may be recorded as a company claim and worked as such.

SEC. 7. No one company claim shall be recorded of more than twenty-five hundred feet.

The following resolutions were adopted at the same meeting:

John Rowley's claim to be laid over till the first of September.

H. C. Pierce's claim to be laid over this season, on account of his ferry at the upper crossing.

On the 23rd of September (1879) a meeting of twenty-six miners was held.

The resignation of the recorder was presented and accepted.

The following resolutions were adopted:

1st. That the only mining ground that was laid over for Pierce (our recorder) by the miners, at the meeting of July 1st last, was five hundred feet situated at the mouth of Canyon Creek, where his house is built.

2nd. That the proceedings of this meeting be placed upon the record book of this district, and it shall be kept open for the inspection of miners at all reasonable hours.

3rd. That the record book shall hereafter be kept within the district.

4th. That a committee of three be elected to frame a new code of by-laws for this district, to be brought before the next miners' meeting for acceptance or rejection.

5th. That from this date, September 23rd, 1879, a creek claim shall not exceed two hundred and fifty feet in length.

A new recorder and the committee of three authorized under the fourth resolution were elected.

The next meeting was held October 15th (1879), when the following regulations were adopted:

SEC. 1. A record of a water privilege when taken in connection with a *bona fide* mining claim, shall hold good until such time as the claim is abandoned.

SEC. 2. A creek claim shall include all the ground on both sides of the creek until the bed-rock shall have risen fifteen feet above high-water mark. The word bench claim shall be dropped, and the word hill claim be substituted.

SEC. 3. A hill claim shall be two hundred and fifty feet frontage, extending back in a straight line with your corner stakes to the summit of the mountain.

The next meeting was held July 7th, 1880, when the following resolutions were adopted:

1st. That as it has been the custom of the miners of Ruby district to locate claims, sell, and locate again, and there being no law prohibiting the same, the last location stands good.

2nd. That all claims shall be measured at high-water mark, either up or down from the commencement stake, on both sides of the creek and the difference divided.

WHATCOM COUNTY.—GRANITE CREEK PLACER-MINING DISTRICT.

This district was organized March 6th, 1880, when the following resolutions and regulations were adopted:

1st. That this district be known as the Granite Creek Placer-Mining District.

2nd. That Granite Creek District take in all of Granite Creek and its tributaries from the mouth of Granite Creek to the summit.

3rd. A claim shall be two hundred and fifty feet in length along the general course of the creek, and to extend to points thirty feet lateral above average water level.

4th. A hill claim shall be two hundred and fifty [feet] front, running to the summit.

5th. Each person shall be entitled to one creek or gulch claim and one hill claim by location.

6th. Each claim located must be recorded inside of ten days from date of location.

7th. Each person shall locate and record in person.

8th. No one shall use the water detrimental to miners below.

9th. All claim-holders shall dump on their own ground.

10th. The fees shall be one dollar for each claim of two hundred and fifty feet or fraction thereof for recording, and for recording each transfer or bill of sale two dollars.

11th. All persons shall have the privilege of running their drains on claims below.

12th. There shall be one recorder to keep correct records of the district and reside in the district.

13th. All mining disputes shall be settled by a miners' meeting of claim-holders of the district, the majority ruling.

14th. The recorder shall call a meeting by posting three notices in conspicuous places five days previous to the meeting.

15th. The fees of the recorder shall be five dollars for calling and presiding at each meeting, to be paid by the applicant.

16th. This district shall be laid over till the 15th day of June, A. D. 1880, when all claims shall be represented.

17th. All claims must be represented by four days' work in each calendar month after June 15th, 1880.

18th. The claims shall be laid over each year from October 15th until June 15th following year.

19th. Voted unanimously that Mr. C. W. Anderson be recorder of Granite Creek district.

20th. That the Montana Company have one claim of two hundred and fifty feet, known as the Discovery claim.

21st. All claims shall number up and down the creek from the Discovery.

22nd. These laws can be amended after the 15th day of June, 1880, by a majority vote of the claim-holders of the district.

23rd. Voted that these laws be adopted unanimously.

No other business was transacted at this meeting.

The next meeting was held June 15th (1880), when the following resolutions were adopted:

1st. That claim-holders at work on the Fort Hope trail—that their claims should be considered as represented.

2nd. That claims shall be represented by four days' work done on them between the 15th of June, 1880, and the 15th of October, 1880.

3rd. That a trail be built in front of each claim by the party or parties owning the claim.

The former recorder having resigned, a successor was elected, and it was resolved

4th. That the books be turned over to the recorder elect at six o'clock A. M. on the 16th day of June, 1880.

5th. That these laws take effect at six o'clock A. M. on the 16th day of June, 1880.

6th. That all laws conflicting with the above are declared null and void.

No other business was transacted.

WHATCOM COUNTY.—LIGHTNING CREEK MINING DISTRICT.

This district was organized March 23rd, 1880, when the following regulations were adopted:

SEC. 1. This district shall be known as Lightning Creek Mining District, and shall extend from the mouth of said creek to its source, with all of its tributaries, or following the boundary line between the United States of America and British Columbia in case said boundary line does cross or cut any of its tributaries.

SEC. 2. There shall be two kinds of claims, known as creek and hill claims. All tributaries shall be located and considered as creek claims.

SEC. 3. A creek claim shall not exceed two hundred and fifty feet of the bed of the stream, running up or down said stream until the rim-rock shall have risen fifteen feet on either side.

SEC. 4. A hill claim shall not exceed two hundred and fifty feet frontage, commencing at a point where the rim-rock of the bed of the stream shall have risen fifteen feet, and running back one thousand feet.

SEC. 5. A location shall hold good for ten days, but each person locating shall be required to record in person at the expiration of ten days, or otherwise said location shall be considered null and void.

SEC. 6. Any miner may be entitled to locate one creek claim and one hill claim in this district, and also be allowed to hold one, and only one, of each by purchase.

SEC. 7. No native of China not a citizen of the United States shall hold a claim in this district either by purchase or location.

SEC. 8. A recorder shall be elected, whose duty it shall be to record in a proper manner all claims offered or presented for record.

SEC. 9. The records shall be subject to inspection at all reasonable hours by any one so desiring.

SEC. 10. After the 28th of March the records shall be kept in this district, and the recorder shall have the power to appoint a deputy, whose powers and responsibilities shall be as full and complete as the recorder's. The recorder shall have a fee of one dollar and fifty cents for each claim or name recorded, and shall not be compelled to record without his fee.

SEC. 11. All claims must be represented on the 20th day of July, 1880, or subjected to re-location.

SEC. 12. Each location or claim must be represented by not less than four days' work in each month after the 20th of July, 1880.

SEC. 13. The recorder shall cause a miners' meeting to be called by posting notices in three conspicuous places in this district, giving ten days' notice, provided he shall be requested to do so by at least ten miners.

SEC. 14. Each miner when locating shall post two notices on his claim describing its boundaries.

A recorder was elected at this meeting, but no other business was transacted.

WHATCOM COUNTY.—ROUGH AND READY MINING DISTRICT.

"SKAGIT RIVER. *Apr. 7th*, 1880.

"At a meeing of miners held at Skagit River Crossing, below the mouth of Ruby Creek

"*Resolved* that we the undersigned form a Mining District, to be called Rough and Ready Mining Camp.

"On motion of Mr. D. P. Ludwig J. A. Culver was elected chairman of meeting.

"On motion of Francis Cauley Mr. J. Cyphers was elected recorder for Rough and Ready Mining District.

"Motion was made and carried that size of river claim should be 250 feet up or down river on each side, boundary of claim on each side of the river to extend back from river to where the bed-rock rises to the height of 25 feet above water level, and that each miner is entitled to one hill and one river claim. Hill claim to be 250 feet face, and run to the summit.

"Motion was made and carried that recorder's fees for recording each and every claim shall be $1—and that each miner shall have the privilege to locate two claims * * * * * * (illegible) men who are not in this district, and that the said claims shall not be subject to re-location by [any] other party for the term of 10 days, and that each and every miner holding claims in this district be present at the recorder's office of this district on the 1st day of August, A. D. 1880, and represent his claim, and that each miner disposing or selling his claim shall give a deed of such transfer or sale to the party buying, and that such deed shall be recorded in this district within 10 days after sale, fees for such record to be two and one-half dollars, and that each and every claim shall have a name, whether single or in co.

"Motion was made and carried that 10 days be allowed each miner taking claims from the time of location before recording.

"Motion made and carried that each miner holding claims shall work 4 days on either claim to enable him to hold said claims, and that 4 days shall be sufficient for holding two claims, but such work shall not be compulsory until after the 1st day of August, 1880.

"In testimony whereof we subscribe our names this seventh day of April, A. D. 1880."

(Signed)

J. A. CULVER, *Ch'm'n*,
J. CYPHERS, *Recorder*,
T. S. O'HARA,
E. F. FERGUSON,
D. P. LUDWIG,
JOSHUA NAIL,
S. M. KIMBALL.

WHATCOM COUNTY.—CANYON CREEK MINING DISTRICT.

This distict was formed April 8th, 1880, out of Ruby district, and the following regulations were adopted:

SEC. 1. There shall be two kinds of claims in this district—one a hill or bench, the other a creek or gulch claim. The creek or gulch claim shall be two hundred and fifty feet up and down the creek or gulch, including both banks until the bed-rock rises fifteen feet above low-water mark, except at the junction of its tributaries with the main stream—then the lines shall follow the bluff of the main stream. The hill or bench claim shall be two hundred and fifty feet front, and running up the hill three thousand feet toward the summit of the mountain.

SEC. 2. Every *bona fide* locator shall be entitled to two claims in this district—one creek or gulch, and the other hill or bench claim.

SEC. 3. Any miner or any other person who shall willfully jump any *bona fide* location of mining ground, or cause the same to be jumped, shall be deemed guilty of a violation of the law, and the local regulations and laws of the district and all good miners. Any person found guilty of the above-named offense shall not be allowed to hold any mining ground in this district. He has forfeited his rights and privileges as a miner, and he shall be honorably invited to leave this district.

SEC. 4. Any person who shall destroy or move any notice or stake of any other person's mining claim shall be dealt with as a claim-jumper.

SEC. 5. Any person or persons who shall enter any cabin of another person in the absence of the owner, and willfully destroy or carry away any article, or cause the same to be destroyed or taken away, belonging to the owner of the cabin, shall be dealt with by a decision of the miners in this district, by law and order.

SEC. 6. All disputed boundaries of mining claims and rights of persons to mining ground may be settled by a meeting which shall be called by the recorder on the deposit of ten dollars with the recorder by each of the disputants. He shall call a meeting of all the miners in the district by posting three notices in public places at least five days before the meeting is called, stating the business to be transacted at the meeting.

SEC. 7. No one shall be entitled to vote on the question but a *bona fide* miner of this district, and a majority vote shall decide the question, when the person in whose favor the case is decided shall receive his money back, and the loser's money shall be to the recorder for his trouble in calling the meeting.

SEC. 8. All claims not represented on the first day of July, 1880, shall be declared vacant.

SEC. 9. All claims shall be located in person and be recorded within ten days after the location.

SEC. 10. The recorder shall require the location notice to be intelligible.

SEC. 11. To abandon a claim in this district, any miner shall first fail to represent his claim on representing day; second, fail to do the required amount of number of days' work in each month in the working season; third, by relocating a claim of the same class as [the] one [he] already holds he shall abandon the first when he locates the second. Any claim not recorded within [ten] days after posting notice shall be counted abandoned.

SEC. 12. No person can sell a claim in this district and locate another of the same kind again: he is entitled to only one claim of the same class.

SEC. 13. All mining claims in this district shall be accurately measured by parallel lines as near as practicable, and to avoid fractions as much as possible. No tailings shall be dumped on another man's ground without his consent.

SEC. 14. There shall be a recorder elected by the miners of this district, and he shall reside in this district, and he shall record all *bona fide* locations and all bills of sale, and keep a correct record of all business done at all the public meetings. Shall have power to appoint a deputy. The recorder or his deputy shall be present at all meetings, and when called upon shall post notices of a miners' meeting, and the notice to state the business of the meeting. Five miners can call a meeting at any time, but the business must be urgent to call a special meeting. The recorder shall have one dollar for each record of location notice or bill of sale.

SEC. 15. To protect all *bona fide* locations of mining ground on Canyon Creek and recorded on Ruby district books, the recorder of this district shall transfer said records to the books of this district; but they will be governed by the bylaws and rules of Ruby district

in force at the date of location in regard to the size of claims and number of days' work in each month of the working season to hold them, except when the location notice is not intelligible—then the locator will be required to give a proper notice and have it recorded.

A recorder was elected at the same meeting, but no other business was transacted.

The next meeting was held July 3rd (1880), when the following resolutions were adopted:

1st. That each person be restricted to five minutes to speak.

2nd. That the miners of Canyon Creek and its tributaries from two miles above Mill Creek to its headwaters be allowed to form themselves into a mining district.

3rd. That Section 7 of the bylaws be amended by striking out the ten dollars required to be deposited with the recorder.

4th. That claims shall not be laid over unanimously.

5th. That all work done on the trail by miners shall be the same as work done on the claim toward representing the claim.

6th. That there shall be a committee of three appointed to lay out a trail from Ruby City up to Slate Creek—the committee, to consist of T. J. Armstrong, Jack Rowley, and Will Huggins, will be ready for workmen by the 8th of July—the committee to have power to appoint as many deputies as they may see fit to help superintend the work on the trail, and they have the power to give the trail receipts or certificates of the number of days' work done.

7th. That every miner that works on the trail from here to Goodell's [6] days shall by so doing represent his claim for the month of July, and for every day that he is less than six days each day shall count as one on his claim. John Day shall give the men certificates of the days' work done.

8th. That all the meetings be held as near the center of the district as possible.

9th. That we elect a new recorder.

Under the last resolution a new recorder was elected, and the meeting then adjourned.

WHATCOM COUNTY.—RUBY QUARTZ-MINING DISTRICT.

This district was organized April 15th, 1880, when the following regulations were adopted:

ART. 1. This district shall be known as the Ruby Quartz-mining District, and bounded as follows: Commencing at a point ten miles north of the junction of Canyon and Granite streets in Ruby City, Whatcom County, Territory of Washington, and running east twelve miles, thence south twenty miles, thence west twenty miles, thence north twenty miles, thence east eight miles to place of beginning.

ART. 2. A quartz claim in this district shall consist of six hundred feet wide and fifteen hundred feet long along the lode, lead, or vein. Each person entitled to a location shall find or expose to sight quartz in place, and record said claim within twenty days after location.

ART. 3. All persons holding quartz claims in this district shall be required [to expend] one hundred dollars' worth of work on each fifteen hundred feet, as is required by the Revised Statutes of the United States, and in the manner therein prescribed.

ART. 4. There shall be one recorder elected annually, who shall hold his office for one year, and until his successor is elected and qualified. It shall be his duty to keep a correct and faithful record of all claims and locations offered for record, and preside at all meetings, give notice of all meetings when properly called, and perform such other duties as properly belong to said office. His fees shall be for recording locations [or] transfers two dollars each.

ART. 5. A miners' meeting may be [on] ten days' notice signed by ten miners of the district. Where it is called for settling disputes the parties so calling shall deposit with the recorder five dollars, and the party losing the case in the controversy shall forfeit and pay the said five dollars. Business meetings shall be called by the recorder without fee. The object of each meeting shall be stated in the notice for such meeting.

A recorder was elected, and the meeting then adjourned.

[NOTE.—By "laying over" is meant a suspension of the local regulations requiring claim-holders to perform a certain amount of labor every month or otherwise in order to maintain their rights of possession. It will be observed that entire districts are sometimes "laid over." It is not unusual in this region for miners to make locations on a creek, form a new district, "lay over" their claims, and then go back to work in others that they had already located elsewhere.]

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